



Uttlesford District Council

Procurement Strategy

2018/19



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Introduction

This document outlines the approach Uttlesford District Council will take to the procurement of goods, services and works during the financial year. Procurement is different from “buying”. Buying refers to day-to-day transactions where a purchase order is placed for items available from a catalogue, company web-sites or where a quotation has been provided. Procurement is a strategic process that starts with an identification of need through to the delivery of the contract, managing providers to the end of life disposal of any asset.

Procurement activity will contribute to the Corporate Strategy both directly and indirectly, supporting all departments across the Council to

- Promote thriving, safe and healthy communities
- Protect and enhance heritage and character
- Support sustainable business growth
- Maintain a financially sound and effective Council

In general, we will adopt four principles -

1. In selecting providers, the Council will evaluate offers on the basis of Most Economic Advantageous Tender (MEAT) and will take into account whole life costs whilst seeking a balance between cost and quality
2. In the procurement of all contracts we will aim to increase value for money whilst minimising risk to the Council.
3. The Council shall promote fair and open competition, ensuring transparency and equal treatment of economic operators
4. In all dealings the Council will preserve the highest standards of honesty, integrity, impartiality and objectivity and comply with the Councils Code of Conduct.

Governance

Procurement activity within all public sector bodies is governed by a legal framework – principally The Public Contracts Regulations 2015 – in addition to the Councils own Constitution, Financial Regulations and Contracts Procedure Rules.

Working with client departments we will ensure procurement is carried out in full compliance with these requirements, in addition to which we will ensure the following statutory requirements are taken into account –

- The Public Services (Social Value) Act 2012
- Small Business Act, Enterprise & Employment Act 2015
- The Modern Slavery Act 2015
- The Service Charges (Consultation) (England) Regulations 2003

Acquisition Planning

Early engagement with clients allows for a more considered approach to the procurement of contracts and will help avoid problems at a later stage. Contracts over £50,000 and those considered to be medium to high risk will therefore benefit from an acquisition planning stage that will ensure we consider a range of principles specific to that contract. The range shall include the following areas in addition to any statutory requirements -

- 1) Contract duration
- 2) Equality & Diversity
- 3) Sustainability
- 4) Attracting Local Businesses
- 5) Relationships between Providers and their staff and suppliers/sub-contractors

The Council's National Living Wage Policy will be reflected in procurement processes and contract documentation so that where we are legally entitled to do so, we will require providers to pay at least the national Living Wage to all of their staff working on Council contracts.

Awarding Contracts

Prior to awarding a contract, due diligence will be undertaken to reassure the Council the provider meets all minimum requirements and will take into account

- Mandatory & Discretionary Grounds for Elimination (as set out in Public Contracts Regulations 2015)
- Economic & Financial Standing
- Past Performance

An evaluation report shall be presented to Chief Officers for consideration and only once signed by an Officer authorised to do so (as set out in the Constitution) may a contract then be awarded and contract documents signed.

Reporting Requirements

External Reporting

In line with the Government's Transparency requirements, a range of information is required to be provided.

- Decisions made under general delegated powers to award a contract or incur expenditure in excess of £50,000 (published as soon as possible after the decision is taken)
- Payments to suppliers, where the expenditure is greater than £500. In line with emerging best practice, the Council reports where the payment is greater than £250 (published quarterly)

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- Government Procurement Card Transactions (published quarterly)
- Details of every Invitation to Tender (published at time on “Contracts Finder”)
- Details of every Contract that exceeds £5,000 (published on EELGA Contracts Database)

Internal Reporting

Reports are provided to Governance, Audit & Performance in May and November each year. The report sets out activity for the previous six months with details of contracts awarded, the award criteria used (the cost:quality ratio), any savings identified, improvements expected and any risks identified.

Continuous Developments

In January 2018, the threshold values for EU contracts rose. The new values, above which contracts must be tendered in full compliance with The Public Contracts Regulations 2015, are –

Works Contracts - £4,551,413
Supplies & Services - £181,302
Light Touch Regime - £615,278

During 2018/19 the General Data Protection Regulations come into force. This will have a significant impact on existing contracts which will all need to be reviewed and varied to reflect the change in legislation. Documentation for future contracts must also be reviewed to ensure they reflect the new requirements.

Changes in legislation, emerging case law and market trends will be kept under constant review. This will inform the way in which procurement is carried out and will be reflected in the Procurement Strategy 2019/20.