



## **COMPETITIVE TENDERING POLICY**

Approved by the Audit & Finance Committee

**11.05.23**

**DUE FOR RENEWAL: MAY 2026**

## 1 INTRODUCTION

For goods or services where the value exceeds £25,000 Discovery Multi Academy Trust (the MAT) must follow a competitive tendering process in accordance with the MAT's Finance Policy and the Academies Trust Handbook which states that Academy Trusts must ensure that the Public Contracts Regulations (PCR) procurement thresholds are observed and a recommendation made to the Audit & Finance Committee for decision.

## 2 FORMS OF TENDER

There are three forms of tender procedure: open, restricted and negotiated and the circumstances in which each procedure should be used are described below.

**Open Tender:** This is where all potential suppliers are invited to tender. The budget holder must discuss and agree with the CEO how best to advertise for suppliers e.g. general press, trade journals or to identify all potential suppliers and contact directly, if practical.

This is the preferred method of tendering, as it is most conducive to competition and the propriety of public funds.

**Restricted Tender:** This is where suppliers are specifically invited to tender. Restricted tenders are appropriate where:

- there is a need to maintain a balance between the contract value and administrative costs
- a large number of suppliers would come forward or because the nature of the goods are such that only specific suppliers can be expected to supply the MAT's requirements
- the costs of publicity and advertising are likely to outweigh the potential benefits of open tendering

**Negotiated Tender:** The terms of the contract may be negotiated with one or more chosen suppliers. This is appropriate in specific circumstances:

- the above methods have resulted in either no or unacceptable tenders
- only one or very few suppliers are available
- extreme urgency exists
- continuation with the existing supplier is justified

## 3 PREPARATION FOR TENDER

Full consideration should be given to:

- objective of project
- overall requirements
- technical skills required
- after sales service requirements
- form of contract

It may be useful after all requirements have been established to rank requirements (e.g. mandatory, desirable and additional) and award marks to suppliers on fulfilment of these requirements to help reach an overall decision.

## 4 INVITATION TO TENDER

If a restricted tender is to be used, then an invitation to tender must be issued. If an open tender is used an invitation to tender may be issued in response to an initial enquiry.

An invitation to tender should include the following:

- introduction/background to the project
- scope and objectives of the project
- technical requirements
- implementation of the project
- terms and conditions of tender
- form of response

## 5 TENDER ACCEPTANCE PROCEDURES

The invitation to tender should state the date and time by which the completed tender document should be received by the MAT. Tenders should be submitted in plain envelopes clearly marked to indicate they contain tender documents. The envelopes should be time and date stamped on receipt and stored in a secure place prior to tender opening. Tenders received after the submission deadline can be declined.

## 6 TENDER OPENING PROCEDURES

All tenders submitted should be opened at the same time in the presence of two people, one of whom should be a senior representative from the Finance Team. A record should be made of the names of the firms submitting tenders and the amount tendered. This record must be signed by both people present at the tender opening.

## 7 TENDER EVALUATION AND DECISION

When evaluating tenders, consideration should be given to:

**Cost** - Care should be taken to ensure that competing suppliers have quoted for the same service. Where discrepancies arise, suppliers should be contacted to amend their quotes where necessary to ensure a fair comparison between suppliers. There may be scope for negotiation on cost if a particular supplier is preferred for quality/suitability reasons but is not the cheapest.

**Quality/Suitability** - Due regard should be given to the qualifications and experience of the contractor, and the quality and suitability of the goods/services offered. Where necessary, references should be sought from other customers.

The evaluation process should involve at least two people, one from the Finance Team. Full records should be kept of all criteria used for evaluation, and a one-page summary report prepared for the Board of Trustees, summarising the options and giving a recommendation.

The accepted tender should be the one that is economically most advantageous to the MAT.

## **8. PCR PROCUREMENT THRESHOLD**

If it is estimated that the cost of a contract is above the PCR threshold for procurement spending, the Trust will seek legal advice to ensure it runs a PCR compliant buying process. The current PCR threshold for all goods and most services is £213,477.

A 'light touch regime', with a higher threshold of £663,540 applies for some services that are specifically for education provision. We will seek legal advice to determine if any procurement run by the Trust qualifies.

## **9. TENDERING PROCEDURE FOR HIGH VALUE PURCHASES**

For tenders above the PCR procurement threshold, the MAT would assess the market to find the best way to advertise our contract to a range of suppliers and check the school's position in relation to the PCR procurement thresholds. The Find a Tender service is a requirement if the contract is over the PCR procurement threshold.

Once all tenders have been received and evaluated, and a decision made by the MAT's Audit & Finance Committee, a "decision notice" or "standstill period" must be issued to all suppliers, giving the following information:

- the award criteria used
- reasons for the decision including the characteristics and relative advantages of the successful tender
- the scores obtained by the recipient of the letter and the successful contractor
- a statement of when the "standstill" period is to end. If the letter is sent by electronic means, this period will be 10 days

Once the "standstill" period has ended, the contract can be awarded officially, and a contract award notice will be issued