

Trust Tendering Policy



St Francis of Assisi
CATHOLIC ACADEMY TRUST

St. Francis of Assisi Catholic Academy Trust

Signed off by: Trust Board

Date from: November 2024

Review Date: November 2025

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1 Overview

The St Francis of Assisi Catholic Academy Trust will ensure that:

- Spending has been for the purpose intended and there is probity in the use of public funds
- Spending decisions represent value for money
- Internal delegation levels exist and are applied
- Professional advice is obtained where appropriate
- Procurement rules and thresholds in the Public Contracts Regulations 2015 and the Find a Tender Service are observed

2 Process

A full tendering process, including receipt of 3 competitive quotations, will be undertaken for all contracts and orders over £50,000.

3 competitive quotations with written evidence will be required for orders between £5,000 and £50,000.

If the Trust is undertaking a high value purchase (above £50k), they will need to issue an Invitation to tender as part of the purchase process. An Invitation to Tender (ITT) is a pack of documents sent out to potential suppliers inviting them to submit a bid.

For more specialist or complex works and purchases, the Trust may choose to appoint a professional third party to carry out the tender process on their behalf i.e. a Consultant or an Architect). If a third party is used, it is expected to apply these regulations with the same rigour and ensure that the principles of the Office of Government Commerce (OGC) Procurement Policy and Standards Framework are adhered to.

3 Forms of Tender

There are three forms of tender procedure: open, restricted and negotiated. These three forms of tender are outlined below:

Open Tender

This tender is where all potential suppliers are invited to tender. The budget holder must discuss and agree with the Head teacher / Chief Financial Officer how suppliers 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 academy'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,
- Additional deliveries by the existing supplier are justified.

4 Preparation for Tender

Full consideration should be given to the objective of project, overall requirements, technical skills required, after sales service requirements and 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.

5 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

6 Aspects to Consider

Financial

Like for like prices must be considered and if a lower price means a reduced service or lower quality this must be borne in mind when reaching a decision;

Care should be taken to ensure that the tender price is the total price and that there are no hidden or extra costs;

Is there scope for negotiation in the bid;

Is the price of the contract in line with expectations and is it a cheaper alternative than current contracts if applicable.

Technical/Suitability

Qualifications of the contractor;

Relevant experience of the contractor;

Descriptions of technical and service facilities;

Certificates of quality/conformity with standards;

Quality control procedures;
Details of previous sales and references from past customers.

Other Considerations

Pre sales demonstrations;
After sales service, warranties;
Financial status of supplier. Suppliers in financial difficulty may have problems completing contracts and in the provision of after sales service. It may be appropriate to have an accountant or similarly qualified person examine audited accounts etc.

7 Tender Instructions

The invitation to tender should state the date and time by which the completed tender document should be received by the Trust. Tenders can be submitted by either email or by post. Tenders received after the submission deadline should not be accepted.

8 Tender Opening Procedures

All tenders submitted should be reviewed at the same time and the tender details recorded. A separate record should be established to record the names of the firms submitting tenders and the amount tendered.

Two people should be present for the opening of tenders as follows:

For contracts up to £50,000) - The CFO or the Head Teacher plus a member of the Trust Business Committee.

For contracts over £50,000) - the CFO and the Head Teacher of the specific Academy plus a member of the Trust Business Committee.

9 Tendering Evaluation and Acceptance

The Trust Board has set a minimum requirement of 3 tenders for fair evaluation purposes and in the interest of achieving best value. In any consideration of less than that number being received, the Trust Board should consider whether this is sufficient and consider re-tendering. Decisions to go ahead should fully document the justification.

The evaluation process should involve at least two people. Those involved should disclose all interests, business and otherwise, that might impact upon their objectivity. If there is a potential conflict of interest then that person must withdraw from the tendering process.

Those involved in making a decision must take care not to accept gifts or hospitality from potential suppliers that could compromise or be seen to compromise their independence.

Full records should be kept of all criteria used for evaluation and for contracts over £50,000 a report should be prepared for the Trust Business Committee highlighting the relevant issues and recommending decision, to be ratified by the Full Governing Body and Trust Board. For contracts under £50,000 the decision and criteria should be reported to the Trust Business Committee for their approval and reported to the Trust Board.

Where required by the conditions attached to a specific grant from the DfE / ESFA, their approval must be obtained before the acceptance of a tender.

The accepted tender should normally be the one that is economically most advantageous in terms of best value to the Trust that meets all the requirements. All parties should then be informed of the decision. Where a tender other than the lowest has been accepted, the reasons for its acceptance must be documented and reported to the Trust Board. All decisions made must be justified and recorded as such in the minutes of that meeting for future reference.

A copy of the tender documentation should be held on site for easy reference as required. Acceptance of any tender will be confirmed to the contractor in writing and no work shall be started until this has been done.

Once acceptance has been made, there will be a holding period of 10 days to ensure any appeals can be made from unsuccessful bidders.

Any contracts awarded will include a paragraph to the effect that any contractor will be prohibited from transferring or assigning, directly or indirectly, any portion of the contract to any other person or contractor, without the written permission of the Trust Board.