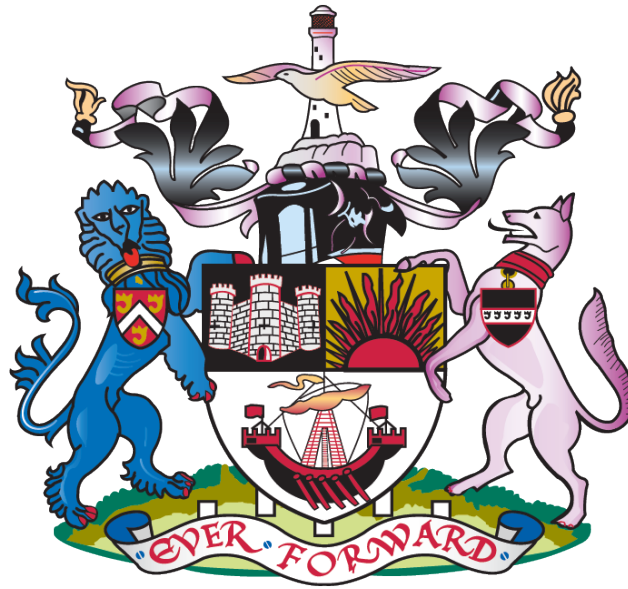




Weston-super-Mare Town Council Procurement Guide

Contents

1. Introduction.....	4
2. Principles of Good Practice Procurement.....	4
3. The Procurement Process.....	5
4. Specifications	6
5. Supplier Selection and Appraisal.....	7
Supplier Identification.....	7
Supplier Appraisal.....	7
Specialist Expertise	8
6. Quotations.....	8
Invitations to quote.....	8
7. Expenditure	9
8. Authorisation of Expenditure.....	9
9. Tendering.....	9
Invitations to Tender	10
Financial Cost Statement.....	10
Social Value Impact Statement.....	11
Tendering Period.....	11
Tender Opening	11
10. Tender Evaluation.....	11
Cost	12
Quality.....	12
11. Post Tender Evaluation	12

12. Contract Award	13
Town Council Financial Regulation No 11: Contracts.....	13
13. Contract Management	14
Variation and Extension	14
14. Regular Service Contracts.....	15
15. Social Value.....	15
16. Employed Consultants.....	16
Check list for Managers	16
Request for Proposals or Invitation to Tender	17
Selection of Consultants	18
Employment of Consultants	18
Monitoring Progress.....	18
Record Keeping	19
Reviewing Performance.....	19
17. Appendix 1 Example of Tender Document.....	20
18. Appendix 2 Contract Standing Orders	21
19. Appendix 3 – Social value scoring Matrix for tenders:	23

Town Council Guide to Procurement

1. Introduction

The purpose of this guide is to provide an overview of the procurement of goods and services. It is intended to complement, but not replace Town Council Standing Order and Financial Regulations.

Procurement has a key role to play in implementing the overall vision and Aims of the Town Council. Procurement practice should meet Town Council goals of sustainable development and resource minimisation by ensuring that products, suppliers and contractors have the best value performance. The pursuit of sustainability and continual improvement is a key goal of the Procurement Policy and innovative ways of meeting objectives might be sought, using the techniques of whole life costing plus product and supplier assessment.

The Town Council is committed to providing quality services irrespective of whether it uses its own staff or operates in partnership with private, voluntary or other public service providers. It will use fair and open competition, and will use external as well as internal providers whether practical as a mean of securing efficient and effective service.

Internal procurement processes are dictated by the Procurement Act 2023, Procurement Regulations 2024 and internal decisions set by the Town Council set out within Standing Orders and Financial Regulations.

A separate Step-by-Step Procurement Guide sets out the mandatory operational procedures for formal procurement exercises. This Procurement Guide sets out principles and expectations that apply to *all* purchasing activity.

2. Principles of Good Practice Procurement

“Best value may not always mean the cheapest. Quality products or services which cost more may sustain themselves in the long term and therefore may be the better option where best value is concerned”

- Take a strategic long term approach; look at the objectives of the service as well as the whole life costs.
- Establish how the service will be delivered in the future to achieve the standard of performance of the best value.
- Ensure that all realistic alternative options have been explored and that evidence to support decisions made can be provided. It should be noted that these decisions

will be audited by the section 151 Officer (RFO) as part of the best value inspection process.

- Be clear about the overall specification and what outputs and outcomes are sought.
- Review related services and activities so that the scope for improvement can be maximised and the cost of achieving improvements is kept to a minimum.
- Explore the scope for cross agency work.
- Research the market; speak to the private and voluntary sectors, to customers and to staff about the required outputs and outcomes.
- Decide whether to continue providing the service in-house, in partnership or to use external providers, by effectively appraising the options. Whatever decision is made, it must be a rational one, which can be defended as being in the interest of service users.
- Seek and encourage innovation to find step changes in quality, performance and costs. Do not limit this by specifying inputs and working methods.
- Ensure that the appropriate legal financial and other specialist advice early in the procurement process has been sought, and that specialist involvement continues as appropriate throughout the process.
- Ensure that risk has been recognised and managed. In order to do this the present worth of assets, and recognise the commercial aspects of contracting.
- Ensure that any major policy decision affecting procurement of any goods and services is submitted for Members approval.

3. The Procurement Process

There are various stages involved in the procurement of goods or services. This section provides an overview of these stages, which are explained in greater detail later in this guide. Note that Project/Expenditure approval (Form of Authority to place Orders E.g. page 4) should be obtained from the section 152 Officer for orders over £7,500, before commencement of the procurement process.

Stage	Description
Specification	A Statement of requirements, the first step in any procurement Process should be to identify and define the need and estimate the Likely costs.
Supplier Selection and Appraisal	The next step is to identify potential suppliers who have the capability, capacity and commitment to meet the requirement.
Quotations/Tendering	Having established a list of potential suppliers and a robust specification suppliers are invited to tender or quote for provision of the goods or services.

Tender Evaluation	The majority of contracts are awarded to the supplier who submits the lowest cost tender or quotation. However, in many cases, other factors are taken into consideration and the best value for money Tender or quotation is accepted.
Post-Tender Negotiation	Once suppliers have submitted tenders or quotations, there may be opportunities to negotiate with a view to improve the overall bid.
Contract Award	Committee approval is required before contracts can be awarded for goods or services not previously approved.
Contract Management	Ensuring that the goods or services detailed in the specification are provided in accordance with the specification to the appropriate quality, within specified timescale and at the agreed price.

4. Specifications

The specification is the first step in the procurement process. Put simply, a specification is the description of the product or service required.

The level of specification and supplier appraisal required should be proportionate to the value, risk and complexity of the purchase.

An effective specification should not be biased towards any one company and should enable suppliers to tender or quote the Town Council on a common basis.

The content and format of a specification should ensure that there is no ambiguity, and that all relevant parts of the description are included.

Note that the specification will form part of the contract with the selected supplier, and that changes/additions to the specification post-contract may entail extra costs. It is therefore very important to include all key deliverables.

Specifications should include where applicable:

- The functions and performance required.
- Any essential design requirements/limitations.
- Relevant National or European standards.
- Details of any existing suitable products.
- Health and Safety considerations.

In addition, specification for services should include:

- Key deliverables

- Timescale
- Relevant experience required.
- Details of information required to be submitted with the tender.

5. Supplier Selection and Appraisal

Having stated a requirement by the production of a specification, the next step is to identify suppliers who are capable and willing to provide the goods or services. This process falls into two stages:

- Identification of potentially capable suppliers
- Assessment of capabilities.

Supplier Identification

In many cases, a list of potential suppliers can be produced through previous experience and market knowledge. (See Section 14). Where Town Council Standing Orders/Financial Regulations apply (see section 6+9) then potential contracts must be advertised in trade journals and newspapers appropriate to the product or service being sought. When dictated by the Procurement Act 2023 above relevant thresholds, advertisement should also be done via Find a Tender.

Supplier Appraisal

Once potential suppliers have been identified, they should be assessed to ensure that they are capable of meeting requirements. This assessment should be on a technical, commercial and financial grounds and may involve one of the following:

- Requesting that potential suppliers complete a pre-qualification document providing information relevant to the contract.
- Visiting and assessing the premises of a supplier.
- Taking up references from appropriate professional organisations.

Where possible, suppliers should be contacted prior to the issue of invitations to tender in order to establish:

- That they are willing to tender for the work.
- Timescales for return of tenders.
- A contract name

The level of time and effort involved in supplier selection and appraisal depends on the value, complexity and risk of the relevant product or service being purchased.

Specialist Expertise

If supplies/service can be supplied or local specialists are needed or the supplies/services are proprietary they can be sourced outside the normal procurement procedure (see Standing Order 18 and section 17 Appendix 2 of this document), subject to the approval of the section 151 Officer or appropriate Committee.

6. Quotations

Contracts and orders should be awarded through competition to achieve Best Value whenever possible. If in the case of specialist suppliers and there is a lack of competitors, then seek advice from the Section 151 Officer to obtain approval to purchase. The relevant thresholds for quotation/tenders are as follows:

Amount (excluding VAT)	Requirement
£7,500 to £20,000	A minimum of three quotations should be invited.
£20,000 to £65,000	A minimum of four written quotations should be invited (see below for further details) Regard for Social Value will be required as routine for tenders received at this level and above.
£65,000 or over	Full tendering procedures are required (see section 18 of standing order)

The above matrix still comes into force in line with Procurement Act 2023 Thresholds for use of Find a Tender advertising. Tenders above £25,000 (ex VAT) must go on Find a Tender, but would also still be subject to requiring a minimum of four written quotes as detailed above.

Invitations to quote

Invitations to submit quotations should normally be in writing. Invitations must be issued in identical terms, simultaneously to all suppliers selected. The instructions to suppliers must include the following:

- The latest time of quotations.
- A copy of specification.
- Statement to the effect that non-compliance with instructions may lead to disqualification.

7. Expenditure

Expenditure on goods and services within the estimates shall only be incurred after approval by the appropriate Committee, except that approval by the council of estimates of a Committee shall unless the Council otherwise decide be deemed to be approval for the Town Clerk to incur expenditure upon:

Claims which by the statute have to be met, including any County Court Judgement.

- Salaries and wages and any other expenses of staff employed within the approved establishment.
- Repairs and maintenance of buildings, grounds and equipment.
- Normal day-to-day requirements of the service including minor works, supplies and replacement of equipment.
- Supplies and services costing under £10,000, either capital or revenue, may be ordered by an authorised Officer from a previously approved budget subject to receipt of quotation where applicable.
- Any proposed capital expenditure over £10,000 must be subject to specific Committee approval regardless of it being financed from a previously approved budget, although no such approval is needed in the case of revenue expenditure exceeding £10,000 from a previously approved budget.

8. Authorisation of Expenditure

- Expenditure on goods and services within the estimates approved by the Council may be authorised, subject to the provisions of the Council's Standing Orders on Contracts, by the Town Clerk or by delegation to another Senior Officer.
- The certification of an invoice prior to payment by those officers shall be taken to mean that the certifying officer is satisfied that the goods or services to be paid for have been received by the Council and represent proper value for money.
- In case of emergency an order may be given by the persons authorised above and where items of a trivial amount are purchased from suppliers with whom no account
- is held, payment may be made on the authority of the Town Clerk in cash or from the imprest account held for that purpose.

9. Tendering

Tendering is basically a more formal and exhaustive method of obtaining quotations. Legally, a tender submitted by a supplier is a legal offer, and when accepted by the Town Council, a formal contract exists.

The Procurement Act 2023 dictates thresholds for advertising a tender on the Find a Tender platform, and the level of requirements required for each. These thresholds are as follows:

Threshold	Category	Legal Value (inc VAT)	Internal Working Value (ex VAT)
Below threshold	All	Below £30,000	Below £25,000
Notifiable Below Threshold	goods/services	Below £214,904	Below £179,087
	works	Below £5,372,609	Below £4,477,175
Above Threshold	goods/services	Above £214,904	Above £179,087
	works	Above £5,372,609	Above £4,477,175

Tendering must be used for all purchases where there is a possibility that the **overall contract value may exceed £65,000 although in some instances it may be advisable to use the tendering procedure below this figure.**

Invitations to Tender

An invitation to tender comprises the following documentation.

- Covering letter specifying date and time for return of Tender
- Conditions of Tender
- Conditions of Contract
- Financial Cost Statement
- Specification
- Form of Offer

It is the responsibility of the Spending Officer to produce a Tender document, although the appropriate Manager can provide advice on format and content if required.

Where the use of a third party is felt necessary, the above must still be complied with and tenders returned to the Town Council.

Further information on preparation of a Specification is given in section 4 and a template example is given in section 16 Appendix 1.

Financial Cost Statement

The financial Cost Statement is the pricing schedule which tenderers must complete. Its purpose is to ensure that all tenderers submit prices on a common basis and in a common format, making evaluation more straightforward. For instance, with consultancy contracts, the Manager must consider whether the contract is to be priced on a fixed price

or time based rate basis. Similarly, where the contract is for the purchase of goods, are prices required per item or for multiple thereof? The financial Cost Statement should therefore state the basis of pricing, and leave spaces for the tender to insert prices. The mechanism for pricing scope variations, where applicable, should also be included here.

Social Value Impact Statement

Social value should be considered in all procurement activity, proportionate to value and impact. Formal scoring requirements apply only where set out in the Financial Regulations (Appendix 1).

Social Value impact statements will be required for tenders over £65,000 ~~£20,000~~. These should be produced and submitted with tenders as per Appendix 3 of this procurement guide.

Tendering Period

The time allowed for return of tenders depends on the complexity of the contract, and the amount of information being requested as part of the tender submission. Normally, a minimum period of two weeks should be allowed: however, this period may be reduced in some circumstances provided that all tenders have been contracted prior to the invitation to Tender, and are able and willing to meet the timescale.

During the period between invitation to tender and receipt of tenders, it is vital that all tenderers are treated equitably and equally. For instance, any queries of substance raised by one tenderer must be answered to all tenderers simultaneously. Similarly, if one tenderer requests an extension to the tendering deadline, and this is accepted, then the deadline must be extended for all tenderers.

Tender Opening

When tenders are received they are opened simultaneously by a Councillor's Tender Panel, which is to comprise a minimum of 2 councillors who will record prices and sign tender documents accordingly to ensure propriety and regularity. This process will be administered and evaluated by a Manager and the result of tenders will then be reported to Committee.

10. Tender Evaluation

Once tenders have been received from suppliers, they must be evaluated to ensure that the Best Value for money tender is accepted. In majority of cases, pre-tender appraisal of suppliers, who are all accepted, subject to analysis to ensure that the tender is

compliant. However, in many contracts, particularly those for the provision of consultancy, research and other services, whilst all tenders may be capable of meeting the requirement, some may be capable of meeting it better than others. In such cases, tenders are evaluated in terms of both cost (in £'s), and pre-defined quality criteria, and a judgement must be made, if the lowest cost involved is compensated by a suitable and relevant increase in quality. This, in essence, is the assessment of Best Value.

Cost

The whole life cost of the asset or service being provided is to be assessed for each tender. Note that cost does not necessarily equate with price as other factors such as maintenance costs and re-sale value should be considered. Where the actual cost exceeds the estimated cost, a 5% overspend may be permitted with the section 151 Officers approval.

Quality

In order to ensure that the evaluation process can be seen to be ethical, quality criteria should be documented prior to the receipt of tenders. Quality criteria may include such factors as proposed methodology, quality of staff, availability of resources etc.

11. Post Tender Evaluation

Once bids (i.e. tenders or quotes) have been evaluated, it may be possible to improve the overall value for money of bids through the use of negotiation. Effective negotiation is much more than simply bargaining or haggling, and demands certain skills which can be identified and put into practice. For this reason, any post tender negotiation must be planned thoroughly.

Post-tender negotiation may be entered into with the two or three tenderers who offer the best overall value for money as defined by the tender evaluation process. However, in certain cases, where evaluation has proved a clear leader, only this tenderer needs to be negotiated with.

In deciding when to negotiate, it is important to remember that potential areas of improvement may involve areas other than cost. For instance, improved delivery times (for goods as well as service) can be negotiated which will raise the overall quality of the bid. As far as the contract is concerned, even where one particular bid offers the lowest overall cost, there may still be opportunities for reductions in cost in certain areas.

If during such negotiations the requirement is vastly changed, the Town Council should give serious consideration to re-tendering and reserve the right to do so if necessary.

12. Contract Award

The authorisation of purchase or awards of contract involves separate levels of authorisation.

The contract award must be authorised by:

Amount	Authority
Up to £7,500	Manager/ Designated Spending Officer / RFO
£7,501 - £65,000	Section 151 Officer (RFO – approval) & Committee where relevant.
£65,001 and over	Committee Approval

Town Council Financial Regulation No 6: Procurement and Contracts

To be read in conjunction with Standing Orders

- The Responsible Financial Officer should keep an approved list of tenderers and Follow tender procedures.
- The Town Clerk shall arrange for the keeping of a Register of Tenderers received.
- The final sum due under any major contract shall not be certified for payment until RFO or Town Clerk has carried out or arranged for an audit examination of the final Account.
- Authorisation must also be obtained to ensure expenditure under the Order Book Scheme of Delegation, by an individual suitably empowered by the Management Team. The Mechanism for this authorisation involves purchase requisitions and/or Contract forms for use in connection with the Town Councils Accounting system.

Tenders that fail to comply with the specification should not be treated as valid tenders. The lowest whole-life cost, after Post-Tender Negotiation is the method used to ascertain lowest tender, rather than price. In certain circumstances, the lowest tender, whilst complying with the minimum requirements of the specification, will clearly result in additional costs for the Council, which will be avoided by accepting a higher tender. In such circumstances, “preferred tender not the lowest” is required.

Once the above authorisations have been obtained, a contract award letter will be sent by the Manager to the successful tenderers, for contracts in excess of £20,000. The Manager will also notify unsuccessful tenderers accordingly. For contracts below £10,000 the successful supplier will be formally notified via the purchase order, which will be raised by the relevant nominated officer.

Any unsuccessful tenderer may request a de-brief in respect of their tender although the Town Council reserves the right not to declare all information relating to the award of the relevant contract, unless required to do so by the Procurement Act 2023 (Above Threshold).

13. Contract Management

Once a contract has been let, it is the responsibility of the Manager to ensure that as far as practicable, the goods or services are delivered to time, cost and quality. The following measures may be applicable.

- Detailed inspection of goods and equipment provide by contractor to ensure that they comply with the specification.
- Continual appraisal of the specification to ensure that matters such as delivery dates are adhered to.
- For service contracts, regular progress meetings are advisable. Milestones should be established and reviewed, and performance assessed against pre-agreed measures.
- Procurement assistance is available with the above if required and the Section 151 Officer should always be advised in case of unsatisfactory performance, in order that:
 - Suitable measures can be taken under the contract, such as compensation, and, as last resort termination.
 - Any such incidents will be considered before inviting the contractor to tender for other contracts.

Variation and Extension

From time to time, variation and extensions to contracts are required. These require varying types and levels of approval, depending on their nature. These generally fall into three areas.

- Time extensions with no extra cost: These can be issued by the Manager to the contractor. No further authorisation is required.
- Extensions to fixed term contracts: These are classified as single tender actions, and require Section 151 Officer Approval, unless reference was made in the original Tender Document to the possibility of extension.
- Extra work within the same overall contract: The approval required here depends on the nature of the extra work. If it is essentially, an area that would have formed part of the original specification had it been envisaged at the time, then no approval is necessary other than normal “incur expenditure” approval under the Section 151

Officer. If, however, it is a distinct item of work separate to the specification, such as an extra phase, Committee approval is required. Obviously there are grey areas in this definition, and a pragmatic view should be applied. If in doubt speak to the appropriate manager or Section 151 Officer.

Any Above Threshold procurement under Procurement Act 2023, will require a contract change notice for any qualifying modifications to be published on Find a Tender.

14. Regular Service Contracts

Regular Service Contracts are arrangements with suppliers to provide an unspecified amount of goods and services at fixed prices, over a fixed period of time. They are used to purchase items on a regular basis to avoid obtaining quotes/tenders on each occasion these items are required.

The majority support specialist requirements of Council Facilities.

Examples of those likely to be relevant are as follows;

- Stationery
- Computer equipment/Ongoing support
- Fuel Supplies
- Contract Cleaning
- Alarm and Fire Systems

The Responsible Financial Officer has a full list of all contracts, and should be contacted in instances where opportunities for development of further contracts were identified.

Note that the use of Regular Service Contract where they exist is mandatory, i.e.: other suppliers must not be used for the purchase of these goods or services unless authorised.

15. Social Value

The Town Council description of Social Value is:

‘If £1 is spent on the direct delivery of services, can the same £1 also produce a wider benefit to the community’

The Town Council will have regards to social value and community engagement within the Procurement procedures, as required by the Town Council’s Financial Regulations, to considering **price and quality value and in addition the economic, social and**

environmental benefits in its decision making, with a set of questions to support this. The scoring weighting should reflect the needs of the project / service being procured and will be identified within the specification stage of any tendering process. The council social value is described as follows:

The Town Council Social value aims are:

to move beyond making decisions purely based on financial cost or price alone. Instead the councils will advocate to seek 'value for money' in its widest sense by considering the social benefits (involving people, culture, and interactions), economic benefits (such as money flow and financial resources to the town) and environmental benefits (involving the place in which people live, the planet and use of resources).

16. Employed Consultants

It is important to be clear about the reasons for hiring an external consultant. Before beginning the process of hiring an outside firm, Managers should have determined that in-house resources are not sufficient and that the extra expense involved in hiring a firm of consultants is clearly justified.

Managers should always prepare a detailed project brief before selecting a consultant. If necessary, it can be refined later to take account of the consultants' idea. The brief becomes the consultants' Terms of Reference.

The discipline of preparing a detailed project brief is helpful because it forces Managers to consider what they want to achieve from the project. It also helps them to assess the extent of the commitment they will need to make to the project in providing data to the consultants; attending meetings, reviewing results etc. A clear project brief is also necessary to facilitate evaluation on completion.

The lack of a project brief can lead to misunderstanding between consultants and client.

The following is a checklist for Managers in the use of consultants.

Check list for Managers

This checklist is designed to provide Managers with a summary of good practice in commissioning and managing consultants.

Identification of need:

- Identify the objectives of the project and what the recommendations are intended to achieve or change.

- Consider the availability of potential in-house resources before seeking to engage external consultants.
- Assess and document the benefits of employing consultants in the light of probable cost.
- Identify costs of Council's contribution, i.e., time of Manager, Working party and staff.
- Agree a budget.
- Obtain approval Section 151 Officer and Committee, if appropriate.
- Ensure that any committee report seeking approval for consultants specifically addresses the justification for commissioning consultants.

Preparation of Project Brief:

- The Project brief should include:
 - Background to the project
 - Project objectives
 - Expected product or deliverables
 - Project timetable
 - Council's own contribution
 - Reporting requirements
 - Relevant source documents available for inspection.

Request for Proposals or Invitation to Tender

- The request for proposals or invitations to tender includes:
 - Basis upon which tenders are sought (fixed price or daily rate)
 - Specification of minimum number of tenders
 - Timetable for submitting proposals
 - Contact name and telephone numbers for enquiries
 - Details of any pre-bid conference
 - These documents include what the Council requires in each consultant's proposal.

This might include:

- An outline of the consultants' approach or understanding of the project
- Summary of the firm's relevant experience
- Cost including proposed hours for each team member and rate/hour
- References

Selection of Consultants

- Where larger projects are concerned, form a Working Party if appropriate.
- Set comprehensive criteria against which proposals will be evaluated, including:
 - Price
 - Experience and qualifications of consultancy team members
 - Understanding of client's needs
 - Feasibility and credibility of proposed approach
 - Ability to complete the project on time
 - Check references
 - Establish what previous work has been done for the authority by the consultants and how successful it was.
 - Clearly document why tenders were chosen and rejected.

Employment of Consultants

- Draft agreement ensuring that it contains the following elements:
 - Description of all project deliverables
 - Project schedule with key milestones
 - Fees, including definition of reimbursable expenses
 - How payment will be made
 - Reporting arrangements
 - Arbitration/termination arrangements
 - Involvement of named Council staff
 - Terms of reference agreed between the authority and the consultants should be attached to the agreement and incorporated by reference.
 - Agree clear end-point and procedures for “signing off” project when complete.
- Once the contract is signed, give consultants official notification to proceed in writing. This can include information to the consultants on the Authority's preferred format for invoices.

Monitoring Progress

- Appoint a named Project Officer, and, where justified, Working Party responsible for overseeing progress.
- Monitor consultants' progress key milestones.
- Monitor costs against budget; ensure that the invoices are charged against correct account codes.
- Arrange regular progress meetings.
- Scrutinise invoices and obtain necessary approvals.

Record Keeping

- Set up and maintain contact file which should include:
 - Project brief or terms of reference
 - Minutes showing member approval, if needed
 - Agreement between authority and consultant
 - Document of the selection process
 - Record of payments made under the agreement
 - Implementation plan

Reviewing Performance

- Establish formal review process when project is finished.
- Complete a project evaluation put in contract file

17. Appendix 1 Example of Tender Document

Form of Tender – [Project Title/Description]

To Client: Weston-super-Mare Town Council

Tender in Respect of: [Project Summary]

Tender Return Deadline: [Deadline date and time]

Having read the requirements of the project management brief and associated documentation delivered I/We do hereby offer to execute and complete the **whole of the [works/service/contract] described** for the annual sum of

..... (in words) (exclusive of VAT)

£..... (in numbers) (exclusive of VAT)

I/We agree that the information supplied with this Form of Tender are complete and correct and that this quotation remains open for consideration for 12 weeks from the date fixed for the submission of quotations. In the event of our quotation being accepted we will execute a formal contract with Weston-super-Mare Town Council. We understand and acknowledge that no pledge is given to accept the lowest or any other tender.

We acknowledge that if our quotation is accepted, we will be appointed as Principle Contractor as defined in the Construction (Design & Management) Regulations 2015 and we confirm that we will comply in all respects with the requirements set out therein. **[delete if not a build project]**

We have not computed the amount of my/our quotation figure by consultation with any other person, firm, company or organisation of any kind whatsoever (except where it was essential for the purpose of obtaining prices for materials and/or services).

Contractor:.....

Date:.....

Address:

Signature:

18. Appendix 2 Standing Orders Section 18

FINANCIAL CONTROLS AND PROCUREMENT

18.1 The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:

- i. the keeping of accounting records and systems of internal controls;
- ii. the assessment and management of financial risks faced by the Council;
- iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
- iv. the inspection and copying by Councillors and local electors of the Council's accounts and/or orders of payments; and
- v. whether contracts with an estimated value below **£25,000 (ex VAT)** due to special circumstances are exempt from a tendering process or procurement exercise, noting that such procurements are below the statutory notifiable threshold under the Procurement Act 2023 and do not require publication of a notice, but may be advertised voluntarily where officers consider this to be appropriate.

18.2 Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.

18.3 Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:

- i. a specification for the goods, materials, services or the execution of works shall be drawn up;
- ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting Councillors or staff to encourage or support their tender outside the prescribed process;
- ~~iii.~~ the invitation to tender shall be advertised or published in accordance with statutory requirements and the Council's Procurement Guide;
- iv. tenders shall be submitted in the format, by the deadline and via the method specified in the invitation to tender, ensuring confidentiality and fairness;
- v. All sealed tenders shall be opened at the same time on the prescribed date by the Clerk or RFO in the presence of at least two members of council, in accordance with the Council's Procurement Guide and conflict of interest requirements.
- vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a Committee or sub-Committee with delegated responsibility.

18.4 Neither the Council, nor a Committee or a sub-Committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.

Where the value and nature of a contract brings it within the scope of the Procurement Act 2023 and the Procurement Regulations 2024, the Council must comply with all applicable statutory procurement and transparency requirements.

18.5 Resolutions on Expenditure

18.5.1 Any motion which is moved otherwise than in pursuance of a recommendation of the Finance and General Purposes Committee, or of another Committee after recommendation by the Policy & Finance Committee and which, if carried, would, in the opinion of the Chair substantially increase the expenditure upon any service which is under the management of the Council, or reduce the revenue at the disposal of any Committee, or which would involve capital expenditure, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council and any Committee affected by it shall consider whether it desires to report thereon. The Policy and Finance Committee shall report on the financial aspect of the proposal.

19. Appendix 3 – Social value scoring for tenders:

Social Value Questions for Contracts

To be used for contracts and project procurement exercises with a value over £65,000. Questions 1, 8 and 15 are mandatory questions to be asked and the other questions are at the discretion by the procuring committee or officer.

The weighting of social value within the tender will be decided on a case by case basis.

Specific questions are split into the economic, social and environmental wellbeing headings as per the Social Value Act 2012. Different questions will be relevant for each type and size of contract, but being specific should make them more do-able for small local companies. The procuring officer or committee pick at least one from each of the three headings for each contract, more for large contracts. (The Real Living Wage question will always be asked.)

Supporting the Local Economy

- 1. Will you pay the Real Living Wage as a minimum to everyone working on the contract? (yes/no)**
2. Number of new jobs to be created by your organisation as a result of the contract? *(number as FTE)*
3. Number of individuals to be provided with work experience for at least 5 days? *(number)*
4. Number of new apprentices to be created by your organisation as a result of this contract? *(number)*
5. Number of unemployed residents to be supported into work? *(number)*
6. The total amount (£) to be spent in the supply chain within the local area (Somerset and the West of England) through the contract *(Value)*

Support Community Wellbeing

7. Number of people working on the contract who live within [5/10/25] miles of Weston-super-Mare (*number*)
8. **Number of people working on the contract who live in Weston-super-Mare (including Kewstoke, St Georges, Locking and Hutton)? (*number*)**
9. Number of people Somerset and the West of England (former Avon) (*number*)
10. Time allowed for your employees to volunteer for community work in the local area (*No. hrs*)
11. Can you hold educational/ informational events in the local community centre if so how many? (*Number and details*)
12. Donations to be made to local community funds to support local causes (*Value*)

Moving towards a sustainable Environment

13. The percentage of materials and products from sustainable sources used in the contract? (%)
14. Do you use any single use plastics in the contract if so what and how many? (*if so list and number*)
15. **What are you doing to reduce your carbon footprint and adapting to climate change? (%CO2 reduction or number of actions)**
16. How will your company support cleaner and greener spaces (if working in a park or green space)? (*statement*)
17. What equipment will you use and how is it powered ie petrol or electric (if working in a park or green space)? (*list*)
18. Where is your company based? (*location – distance from Weston and so will save on transport emissions/reduce congestion on the roads*)