

ABERYSTWYTH UNIVERSITY CHECKLIST - £5k+ excl VAT PURCHASES (or euro equivalent)	
REQUIREMENTS & RESPONSIBILITIES	
Brief Description of Goods/Services/Works:	Tender Ref (of your choosing)
Department/Institute:	
Budget Holder Name & Contact Details:	
Institute Manager/Director (or nominee) aware	YES/NO (include name of senior officer who is aware here)
Funding Source: Funding available & confirmed?	YES/NO
For externally funded contracts/grants: Is finance approved?	YES/NO
Name(s) of officer(s) responsible for decision making on this purchase and details of how much that person/s can sign off financially.	
**Estimated Value of Goods/ Service/Works: £ **remember aggregation – if you purchase is for more than a ‘one off’ requirement contact the procurement section for advice.	Budget Allocation (inc VAT): £ n/a
REFER TO THE UNIVERSITY FINANCIAL PROCEDURES (purchasing policy and procedures section) FOR A VISUAL GUIDE TO THE PROCUREMENT PROCESS	
PRE-TENDER CHECKS	
Check made whether goods/services/works can be secured through a Central Service function such as The Estates Dept, Information Services, Hospitality Services, the Design Studio etc (which must be consulted first in all procurement decisions relevant to their area of responsibility e.g. Info services for IT related equipment, Estates Dept for building/install work) for WEFO projects refer to guidance as typically internal recharges are not allowed YES/NO (if no, why was no such check made?)	

If the purchase involves work to the University Estate or represents installation of capital equipment to the fabric/services of buildings, has the Estates Department been consulted to ensure that prospective tenderers are aware of Estates requirements for suppliers to attain Estates Approved Supplier status prior to undertaking any such work *(To ensure Health & Safety and legislative compliance, early consultation with the Estates Dept is req'd)*

YES/NO

(if no, why was no such check made?)

If the purchase involves capital expenditure over £10,000 have you filled out a [Capital Request form](#) and has this approved?

YES/NO

(if no, why is this?)

Conflict of Interest (Do you have a conflict of interest with any of the proposed suppliers who may submit a bid, including any individuals/sole traders)?

YES/NO

(if yes, [consultant financial regulations](#) - corporate governance section)

If the purchase involves buying in consultancy services have you filled out a [request to employ consultants](#) form and has this been approved.

YES/NO

(if no, why is this?)

If the purchase involves buying services from an individual/sole trader/small business, have you checked that there are not any [HMRC implications](#)?

YES/NO

If in doubt consult the Finance Department for advice. In employment law a person's employment status helps determine their rights & their employer's responsibilities. However, a person may have a different employment status in tax law & AU needs to be mindful of this.

PROCUREMENT ROUTE (tick one)

Non-competitive/ single source purchase where only one possible supplier exists (for legitimate reasons) <input type="checkbox"/>	A Single Tender Action form (STA) needs to be completed and sent to the Procurement section. STA's over £25k excl vat are more difficult to sanction, for legal/compliance reasons.
Competitive purchase (non EU procurement) £5k-50k excl vat <input type="checkbox"/>	Sealed bid request for quotation (RFQ) exercise - contact procurement team for advice on due process.
Competitive purchase (non EU procurement) £50k - £180k excl vat purchase <input type="checkbox"/>	Sealed bid tender (ITT) exercise - contact procurement team for advice on due process.
Consortia/ Co-ordinated/Lead by another body <input type="checkbox"/>	External body is leading, co-operate with lead body.
EU Tender (OJEU) purchase over £180k excl vat (goods/services) or £4.5m excl vat (construction) <input type="checkbox"/>	Sealed bid tender exercise under EU Rules - contact procurement team/Estates Dept to lead the process for you.
Further Competition or Direct Award under a framework agreement <input type="checkbox"/>	Framework Agreement call off, follow the framework buyer's guide in each case or ask procurement for help.
WEFO/ERDF Funded Procurements (irrespective of value) <input type="checkbox"/>	Specific rules and procedures apply - contact procurement team for advice on due process.

RFQ/ITT DRAFT DOCUMENT CHECKS
anything in orange is typically for the procurement team.

ISSUE	YES/NO	Comments/guidance
Procurement details entered into Tender Register & EMM?		Is the procurement formally recorded in a database of purchases?
Are proforma/stage/advanced payments		Are bidders likely to want payment 'upfront'? or

anticipated?		before the purchase is completed? If so a Parent/bankers guarantee should be requested in your specification - contact the procurement team for advice.
Purchase to be advertised on Sell2wales or the OJEU ?		Purchases valued over £25k excl vat must be openly advertised unless AU Exec agree otherwise.
Listed & weighted contract award criteria in a comprehensive & clear specification.		Bid documents should clearly lay out what is required and how bids will be judged and scored so suppliers can understand our intentions. Specifications should not be overly prescriptive but should focus on the 'outputs' required from the purchase whenever possible, to encourage supplier innovation.
WEEE clause included where required?		If you are buying electronic or electrical equipment please take heed. Ask procurement for clause wording if applicable.
CE marking confirmation required?		CE marking is required for many products, please take heed as retrospective accreditation can be expensive.
Any TUPE considerations in procurement?		Beware when buying services that you don't fall foul of this legal requirement. If In doubt, contact HR.
SRA completed? - To ensure that sustainability and environmental credentials are considered for all procurement activities		SRA stands for sustainable risk assessments. HEFCW like to see these forms completed wherever possible (esp. over £25k) - contact the procurement section for a copy.
Risk Register assessment completed?		Procurement staff to complete with end user for all over £25k purchases.
Basis of pricing (BoP) clause included? Each year, the HEFCW ask AU to report procurement savings to them, which are then passed on to Welsh Govt.		Wording to be added to procurement documents asking bidders to quantify why their bid represents value for money. Procurement staff should include the BoP clause in all over £5k document sets, but over OJEU threshold this should only be done retrospectively with the winning bidder alone (legal advice).
ISSUE	YES/NO	Comments/guidance
Tender documents countersigned by Estates /Info Services/Health & Safety (as applicable).		If you are buying anything which needs to connect with the 'fabric of the estate' (e.g. equipment installation to buildings, networks, high risk services etc) then it is strongly recommended that Estates /IS/H&S are consulted before the procurement documents are released to bidders.
Closing date/deadline for bids identified?		Bid documents should clearly lay out a deadline for bids and how late bids are treated - contact the procurement team for advice as needed.
Tender to be published on etenderwales if over £100k excl vat.		All over £100k excl vat procurements should utilise the etender system, below this value Sell2Wales can be used.
Is a site visit req'd as part of the bid?		Makes sure that if you want suppliers to visit site as part of the bidding process that this is reflected in the wording of your procurement documents. Suppliers have to be treated equally in this respect – contract the procurement section for advice as required.
Alert your Management Accountant about your pending procurement.		It is possible that budgets can be compromised by purchases which are unplanned, especially close to year end.
Client advised of advert publication to alert known suppliers of interest?		Remember to tell the end user when their procurement has 'gone live' so that they can alert any interested suppliers about the opportunity.
Equality & Diversity - have you thought about the ethical and E&D record of the supplier you may end up choosing and included this provision in your bid documents? Procurement staff to include relevant SQuID questions for all over £25k purchases.		Remember the need to check that prospective suppliers have not been prosecuted for breaches relating to E&D responsibilities. This is part of our Equality Duty Wales. If in doubt contact the Director of Equality (Debra Croft) on egustaff@aber.ac.uk Think about including wording in your documentation for bidders to be asked to explain the impact that low costs may have on their workers each time an abnormally low quote or tender is received and/or encourage suppliers to pay at least the Living Wage.
Start-up supplier message on etender		Procurement staff – make sure the 'standard'

portal for purchases over £100k?		welcome broadcast message 1 goes with all new extenders.
Data Protection – Does your bid have implications for data protection or is the product/service related to the use of personal data? Will you need to conduct a Privacy Impact Assessment?		Beware when buying things that you don't fall foul of this legal requirement. If In doubt, contact mailto:infocompliance@aber.ac.uk .
When procuring certain services we have a duty of care to observe due diligence where we are/may be working with vulnerable adults or children?		Check to see if your procurement documents need to account for this and if you are unsure, seek advice from HR before publishing procurement documents.
Is the legal position i.e. terms and conditions included in the procurement documents?		Make sure your procurement documents contain 'small print' written in the University's favour. Consult the procurement team for advice as required, we may be able to help with model terms & conditions.
When procuring certain higher risk services have we thought about the Bribery Act and how it might impact on the contract we enter into?		When we enter into contracts with, for example, overseas agents who recruit students to AU, what protection do we put in place in our procurement documents to protect us and the agent from bribery in such contracts?
If we are buying equipment, have we let the Finance Office know so that they can check for insurance implications for what we might buy?		When we buy certain equipment e.g. drones/UAV's etc or anything which could come into contact with/interfere with the operation of other authorities (e.g. civil aviation, railways etc) we should consult with the Finance Office before we commit to a purchase (so we can check the insurance risk). Contact Saz James at saj59@aber.ac.uk for a definitive view.
ISSUE	YES/NO	Comments/guidance
Freedom of information – Have you thought about including an FOI clause or wording in your procurement documents?		It is considered good practice to have an FOI clause in most contracts. Consult the procurement team or Julie Archer infstaff@aber.ac.uk for advice as reqd.
When procuring certain services we need to make sure any Welsh language implications are accounted for in the contract documents.		It is imperative that any and all bi-lingual considerations are covered in relevant services contracts. Consult the procurement team or Gwenno Piette gws@aber.ac.uk for advice as reqd.
For major contracts (typically construction related) Welsh Government expects us to consider whether any Community benefits might accrue from such activity?		Work closely with Estates to see whether such contracts are meritorious of community benefits clauses.
Have you thought about the modern slavery legislation and whether it impacts on your procurement?		It is important to make sure the supply solution you choose does not utilise inappropriate supply chains. Should you be asking a question about this?
For major contracts (typically construction related) Welsh Government expects us to consider whether the Wellbeing of Future Generations Act might impact on our procurement.		Beware when buying services that you don't fall foul of this Act. If In doubt, contact the procurement team.
Tender pricing validity period clause included? (More relevant for purchases over a longer term arrangement e.g. 12 months or more)		Purchasers should remember to include wording that requires bidders to hold their prices for a minimum period after the deadline/closing date e.g. 3 months. The enables you to consider going back to the second placed bidder without doing another procurement exercise if your chosen supplier lets you down during this qualifying period and you need to terminate your arrangements with them e.g. due to poor performance in the first 3 months.
Consider whether your procurement is		The 2015 EU regs in part legislated to help 'third

suitable to be 'reserved' so that only third sector organisations can bid for your needs.		sector' organisations (e.g. Remploy) to establish themselves and compete to deliver services that have a health, social, educational or cultural dimension. The intention is to allow organisations meeting the qualifying conditions to have the opportunity to establish themselves before such contracts are either put out to open competition or re-tendered.
Does your procurement documentation include a certificate of non-collusion and form of tender document?		You can get copies of both from the Procurement team. These forms bring certainty in terms of suppliers signing to say that will act appropriately, professionally and honestly when bidding for your requirements.
Does your procurement documentation take a ' whole life cost ' approach to evaluating the price/cost element of your purchase?		Particularly for goods and construction, consider asking suppliers to quote you prices on a 'cradle to grave' basis so that you understand the full cost implications over the life of your purchase.
Do you need to consider supplier performance at all as part of your purchase?		Do you need to factor in acceptance testing of new equipment or perhaps need to have regular performance reviews after award for services contracts? If yes, contact the procurement team and we will do our best to help you with the wording for your procurement documentation.

PRE-BID AUTHORISATIONS		
Tender opening personnel arranged		Auditors/WEFO will expect see evidence of a minimum of 2 persons to be present at the opening of a procurement process involving sealed bids (with a corresponding deadline) e.g. RFQ's and tenders.
PRE-BID AUTHORISATIONS	YES/NO	Comments
Is an extension to the tender closing date required? (Non discriminatory reasoning req'd)		Be very careful about extending a tender deadline/closing date unless the reasons for same are due an error or problem created by the etendering system or the University. If suppliers ask for a deadline extension (because they need more time to bid) then these should generally be rejected. If In doubt, contact the procurement team.
BID RECORDING & TENDER OPENING		
No. Tenders Received & Opened: Qty (adjust/delete as appropriate)	<u>Supplier:</u> 1 2 3 4 5 6 7 8 9	<u>Price (ex vat)</u>
Tender Opening sheet completed, appropriately signed and dated, including budget holder?		If you are not using sell2wales or the etender system to record bids received then contact the procurement team and obtain a blank tender opening sheet for you to complete.
Received tenders copied & sent to end user (for Estates - inform end user).		Procurement team forwards copies of bids and details of evaluation protocols to the budget holder, utilising SharePoint as required.

Late bids – For any late bids received, relevant bidders must be advised in writing concerning non acceptance and any hardcopy documentation should be returned.		If you are not using sell2wales or the etender system to record bids received then contact any bidders who have submitted late to let them know you cannot accept their bid documents. Wherever possible, return these unopened if you can.
Completed copy of the bid evaluation excel spreadsheet populated and sent to all evaluators.		Procurement staff to send a pre-configured evaluation excel spreadsheet to all evaluation team members
If fewer than 3 bids were obtained, let the procurement team know and keep a record to show you have done this.		Beware if you only receive one bid, extra rules apply. Contact the procurement team for advice in such a scenario.
BID EVALUATION		
Financial Appraisal/ Checks (if applicable) completed & name of the officer who checked the tenders for accuracy, arithmetical errors and omissions recorded?		(Record name here) Make sure a preliminary check is made of all bids to see that they make sense, you can evaluate them without problem and that any errors or omissions are noted so a decision can be made on how best to treat these. Contact the procurement team for advice as required.
Tenders evaluated and all scores and reasons for those scores are recorded to justify the decisions made as to who wins the contract using the excel evaluation score sheet.		Scores should be awarded, justification for those scores should be recorded and complete records of the evaluation process should held on file for 6 years. This information must be objective and robust as it informs written feedback to the unsuccessful bidders.
BID EVALUATION	YES/NO	Comments
Prepare voluntary standstill notices for all bidders.		Procurement team tends to include voluntary standstill periods in all RFQ's/tenders. Such notices to include (as a minimum) name of winning bidder, scores of winning bidder, score of each unsuccessful bidder receiving the standstill notice and narrative explaining why the winning bid was better in each case (characteristics and relative advantages)
PRE - CONTRACT AUTHORISATIONS		
For all over £25k excl vat purchases, prepare a report outlining reasons for proposed contract award.		Contact the Procurement Team for an example template
For contracts for goods or services over £250k, Financial Approval to proceed with winning bidder(s) received from the University Executive.		Contact the Procurement Team for an example template which can be submitted to Exec.
For Individual Capital Proposals (i.e. equipment or other capital assets costing more than £10,000) within budget either Accountable Budget Holder (up to £250k) VC (£250k-£1m), Resources & Performance Committee (£1m- £2.5m) or Council (£2.5m+) also approves.		Basically, any purchases over £250k within budget need at least VC approval and, dependent upon value, may also need Committee endorsement prior to proceeding.
For Individual Capital Proposals (i.e. equipment or other capital assets costing more than £10,000) out of budget VC (up to £250k) Resources & Performance Committee (recommends		Basically, any purchases out of budget for capital proposals will need at least VC approval and, dependent upon value, may also need Committee endorsement prior to proceeding.

to Council over £250k) & Council (£250k+) also approves.		
For Single Tender Actions (STA's) without a competitive procurement process, Senior Budget Managers (up to £5k) Director of Finance (£5k-£50k) VC (£50k to £1m) or Council (£1m+) approves.		Basically, any STA purchases over £5k need at least Director of Finance approval and, dependent upon value, may also need VC or Council endorsement prior to proceeding.
For EU/OJEU tenders, 10 day mandatory standstill period observed.		This is a legal requirement not a matter for discretion. Contact the procurement team for advice.
For works contracts with no principal contractor, Director of Estates authorises.		(as applicable)
For OJEU/EU tenders, ensure any mandatory/pre-qualification requirements/evidence is secured from proposed winning bidder/s prior to contract award.		EU rules are specific & prescriptive on what evidence can be collected from bidders for over OJEU threshold procurements and when such evidence can be secured. Contact the procurement team for advice.
For any proforma (up front) payments required by the winning bidder has a complimentary bankers or parent company guarantee been secured as part of the procurement process?		And for any proforma (up front) payments the Director of Finance must approve before the purchase can proceed. As part of this process, the Director of Finance is likely to want to see how 'security' in any upfront payments is unwritten e.g. by a bankers guarantee.
AWARD STAGE		
Award letter/ Form of Contract sent to winning bidder(s) confirming intention to deliver contract (via authorised supplier signatory).		
Award letter/Forms of Contract returned by suppliers & countersigned by AU as required.		Contract Value (inc VAT): £
For works contracts, Estates Dept does final check that winning bidder(s) can meet safety standards before authorisation to work on Estate is granted.		
Once above is rec'd & authorised, regret letters sent with tender debrief.		The procurement team tends to issue the voluntary standstill letters before the regret letters and tender debriefs are sent. This is best practice rather than sending these after the winning bidder has accepted the contract.
Purchase Order drafted by end user which refers to and includes copy terms & conditions attached and sent to winning bidder.		Sending the terms and conditions with the purchase order once the preferred supplier has signed the contract award letter is considered good practice. The Procurement team may be able to help with model terms & conditions.
Management Accountant advised of outcome.		It is good practice to let your management accountant know what the actual cost of the winning bid was as compared to the budget.

POST AWARD STAGE	YES/ NO	Comments
For over OJEU threshold purchases, a contract award notice posted in Journal within 30 days of the award.		This is a legal requirement not a matter for discretion. Contact the procurement team for advice.
Contract award notice placed for sub OJEU threshold purchases on sell2wales .		This is a reasonable expectation of Welsh Government rather than a mere matter for discretion. Contact the procurement team for advice.
Savings/efficiencies updated to EMM software.		Is the outcome of the procurement formally recorded in a database of purchases for annual reporting to HEFCW?
Update tender register.		
e-tender awarded & closed in Bravo.		(as applicable)
Ensure all relevant documentation retained on file for audit scrutiny for 6 years after contract award.		

**** Current EU/OJEU Procurement Thresholds**

Supplies & Services £181,302 excl vat

Works £4,551,413 excl vat

Definitions

EMM – Efficiency Measurement Model

Etenderwales – electronic tendering software provided via Welsh Government

EU – European Union

ITT – Invitation to Tender

OJEU – Official Journal of the European Union

S2W – Sell to Wales web based advertising portal

SRA – Sustainability Risk Assessment

TEM – Tender Evaluation Model

WEEE - Waste Electrical and Electronic Equipment Regulations

WEFO – Welsh European Funding Office