



## Witham Town Council: Extended Procurement Process

*This policy should be read in conjunction with the Financial Regulations and complies with the Procurement Act 2023.*

### Policy Overview

This policy outlines the protocol for conducting extended procurement processes, as defined in the Financial Regulations, ensuring compliance with the Procurement Act 2023 and alignment with national procurement objectives, including transparency, social value, and fair competition.

### Extended Procurement

1. This process applies to all works, goods, or services estimated to exceed £25,000 (exclusive of VAT) ordered or agreed by Witham Town Council via resolution.
2. The Responsible Financial Officer (RFO) must determine if the extended procurement process applies, including assessing whether the procurement falls under the "Light Touch Regime" for certain services as defined in the Procurement Act 2023.

### Process for Extended Procurement

3. The RFO shall estimate the contract value using the SPONS valuation guide or equivalent methodology and conduct a preliminary risk assessment to determine the appropriate procurement route.
4. Where the process applies, a formal tender package must be created using the standardised template and include:
  - I. Quantities of materials/items.
  - II. Social value objectives (e.g., local employment, environmental sustainability).
  - III. Specification (if applicable).
  - IV. Date of return for the tender.
  - V. Specified payment terms aligned with the Procurement Act's prompt payment requirements.
  - VI. Contract terms including clauses for termination, KPIs, and compliance with the Modern Slavery Act 2015.
  - VII. Exclusion grounds (e.g., suppliers convicted of fraud, corruption, or tax evasion).
5. A Transparency Notice must be published on the Central Digital Platform (replacing Contracts Finder) and the Town Council website for at least 14 days to advertise the procurement.
6. Supplementary information, such as scoring criteria and evaluation methodology, must be made available to all bidders.
7. The RFO will evaluate all tender responses using a pre-published scoring matrix and return them to the relevant committee/Full Town Council for decision-making.
8. The Town Clerk/RFO must provide equal access to clarifications for all interested parties during the tender window, as per the Competitive Flexible Procedure under the Procurement Act 2023.
9. There is no obligation to accept any tender, including the lowest value. All tenders must be assessed on:
  - Most Advantageous Tender (MAT) criteria (replacing MEAT), including quality, social value, and sustainability.

- Delivery timelines and risk management plans.
- Professional competency and financial standing.

### **Awarding of Contracts**

10. Upon awarding a contract, a Contract Award Notice must be published on the Central Digital Platform within 30 days, detailing:
  - Successful supplier name.
  - Contract value.
  - Award criteria justification.
11. A letter of acceptance shall be issued to the successful supplier, including:
  - A legally binding commitment under the Procurement Act 2023.
  - Reporting requirements.
12. Payment terms and contract arrangements must be finalised by the RFO, with a mandatory pre-commencement meeting held to confirm compliance with:
  - Health and safety regulations.
  - Data protection (UK GDPR).
  - Supply Chain Due Diligence (e.g., subcontractor transparency).

### **Post-Award Compliance**

13. Contract performance monitoring must occur quarterly, with updates reported to the Finance Committee.
14. Modifications to contracts exceeding 10% of the original value require a new procurement process unless justified under emergency provisions (e.g., critical risk to public safety).

Agreed at Minute 58(c) of Policy & Resources Meeting held 29.3.2022

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