

SOAS University of London

Procurement Procedure

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1. Introduction

1.1 Procurement

“Procurement” can be defined as the acquisition of Goods, Services or Works in return for financial reward where:

- “Goods” are items that are purchased, leased, rented or obtained through hire purchase with or without the option to buy
- “Works” are the design and or execution of building or civil engineering works
- “Services” are any services not otherwise defined as “Goods” or “Works”

1.2 The SOAS Procurement Procedure

Whenever you commit, or participate in committing SOAS finances in return for the provision of Goods, Services or Works, you must follow the SOAS

Procurement Procedure as directed in the [Financial Regulations](#)

The Procurement Procedure outlines the steps to be taken when carrying out any procurement on behalf of SOAS; it does not apply to expenditure incurred by individuals which is reimbursed through expenses. See [Expenses \(Agresso\)](#)

Each step of the Procurement Procedure should be reviewed in light of the procurement being undertaken, with every appropriate action taken and necessary authorisation obtained BEFORE proceeding to the next step.

The Procedure is aimed at ensuring:

- Value for Money (VfM)
- Transparency
- Legislative compliance

As direct contact between SOAS and suppliers is an area that is particularly vulnerable to risk, it is important that both SOAS University of London and SOAS staff are protected when entering into contracts on behalf of SOAS. Compliance with the Procurement Procedure will ensure this.

Should you have any queries about the Procurement Procedure or about Procurement in general, please contact Kate Price (Procurement Manager) at: kate.price@soas.ac.uk or Mark Sellick (Procurement Assistant) at: ms118@soas.ac.uk

2. Pre- Procurement

Before starting any procurement you should:

- Draw up an outline **Specification** of the requirement
- Ensure there is no **Existing Contract or Agreement** in place
- Establish the **Competition Required**
- Select the **Procurement Route**
- Submit a **Declaration of Interest** if appropriate
- Obtain **Budgetary Approval**

2.1 Specification

Draw up at least an outline of what you require. A simple brief might be all that is needed at this stage. You should also consider:

- a. Whether or not it has to be bought from an external supplier or if it could be provided in-house
- b. If it could be provided in-house, might you achieve better value from an external supplier?
- c. What sort of organisation could supply your need?

2.2 Existing contracts

Ensure SOAS does not already have a corporate contract or agreement for the goods, services or works you intend to buy such as:

- a. Travel
There is a corporate contract with Key Travel for travel services. Staff are expected to use that contract for the procurement of air travel in particular unless they can show it cannot provide the “most economical option” or Value for Money (VfM). Further details can be seen in the [Travel & Accommodation Booking Procedure](#)
- b. Stationery
There is a corporate contract for office stationery with Office Depot. For supplies, go to [Office Depot](#)
- c. Insurance
There is a corporate contract for insurance services. All requirements should be discussed with the Senior Financial Administrator at jf@soas.ac.uk
- d. Furniture
All requirements should in the first instance be discussed with the Estates & Facilities Directorate at: estatesandfacilities@soas.ac.uk
- e. IT Hardware and Software
Details of the IT purchasing procedures are available at: [LIS Service Desk](#).
Contact Sandy Nicoll at: an2@soas.ac.uk if you have any enquires regarding the procurement of hardware or software.

2.3 Competition

Unless specifically exempt (**Procedure Exemption**) or otherwise authorised (**Procedure Exception**), competitive bids must be obtained for the procurement of goods and services above an estimated contract value of £5,000 (ex.VAT) and for works above an estimated contract value of £20,000 (ex.VAT)

The competition required depends on:

- a. The subject of the procurement (goods, services or works)
- b. The estimated financial value of the contract.

This is the value of the contract over its entire term including any optional extensions, excluding VAT. For example, if a consultant is required to provide a service for two days per month for three years at an estimated price of £500 per day (excluding VAT) the estimated contract value would be £36,000.

- c. The reputational risk

“Reputational Risk” is the risk of loss resulting from damages to SOAS’ reputation, in the areas of, for example, ethics, safety, security and sustainability.

Tables 2.3.1 and 2.3.2 below show the competition required for all procurements. If better Value for Money is anticipated by carrying out more than required, staff are encouraged to do so. However, they must take into account the overall value of the procurement and the cost and availability of resources.

2.3.1 Competitive Requirements for Goods and Services

Estimated Contract Value (ex.VAT)	Level of risk	Competition required
Up to £5,000	Low to Medium	1 x Informal Quotation Informal Quotation Procedure or Framework Agreement
	High	3 x Informal Quotations Informal Quotation Procedure or Framework Agreement
£5,001 to £20,000	Low to Medium	3 x Formal Quotations Formal Quotation Procedure or Framework Agreement
	High	3 x Informal Tenders Informal Tender Procedure or Framework Agreement
£20,001 to £164,176	Not Applicable	5 x Formal tenders Formal Tender Procedure or Framework Agreement
£164,176 (EU Threshold) +	Not Applicable	5 x EU Tenders (if possible) EU Procedures or Framework Agreement

2.3.2 Competitive Requirement for Works

Estimated Contract Value (excl.VAT)	Level of risk	Competition required
Up to £20,000	Low to Medium	1 x Informal Quotation Informal Quotation Procedure or Framework Agreement
	High	3 x Informal Quotations Informal Quotation Procedure or Framework Agreement
£20,001 to £100,000	Low to Medium	3 x Formal Quotations Formal Quotation Procedure or Framework Agreement
	High	3 x Informal tenders Informal Tender Procedure or Framework Agreement
£100,001 to £4,104,394	Not Applicable	5 x Formal tenders Formal Tender Procedure or Framework Agreement
£4,104,394 (EU Threshold) +	Not Applicable	5 x EU Tenders (if possible) EU Procedures or Framework Agreement

2.3.3 Procedure Exemption

Competitive bids do not have to be obtained for the following procurements:

- a. Subscriptions
- b. Memberships
- c. Licences
- d. Training
- e. Hire of premises
- f. Purchase by auction
- g. Examining Bodies
- h. Agency staff

2.3.4 Procedure Exception

There are circumstances in which it is not possible or appropriate to seek competitive bids such as:

- a. An emergency, when immediate action is necessary to:
 - Prevent significant loss to SOAS
 - Prevent danger, injury or hardship
 - Comply with legislation
- b. Only one supplier is able to provide the requirement and where no satisfactory alternative is available because of:

- Technical, artistic exclusive rights reasons
 - The requirement is for branded items which are sold at a single fixed price
- c. Addition or extension to an existing or previous contract where it would be inappropriate to offer the additional work to a competitor
- d. When “spot-purchase” demonstrably provides better value for money than longer term contract arrangements

At such times an exception to the Procedure can be applied to below EU threshold procurements through a [Single Tender Action](#) [STA] form. STAs must be fully authorised before an agreement to procure is made with a supplier. STAs do not apply to procurements above the EU threshold.

2.4 Procurement Routes

Select the route you will use to obtain competitive bids.

2.4.1 Below EU Threshold Contracts

The two-stage “Restricted” or “shortlisting” procedure can no longer be used for the procurement of goods, services & works below the EU Threshold; so all bids received must be evaluated.

Works contracts valued between the Goods, Service & Works threshold and the Works threshold can still use a two-stage process using the PAS91 PQQ.

Bids can be sought through:

- a. Invitation
- i. Bids can be invited from both existing and new suppliers. Maintaining control of the number of suppliers SOAS contracts with is good procurement practice; so, ideally, the majority of bids should be sought from existing suppliers. However, the introduction of new suppliers ensures that we are engaging with changing markets and our suppliers remain competitive.
 - ii. You must ensure compliance with the SOAS [Bribery Policy](#) , [Financial Regulations](#) and other SOAS policies.
- b. Advertisement
- You can invite “Expressions of Interest” by advertising the contract through appropriate channels, such as journals, the SOAS website etc. If we do advertise, we are legally obliged to include advertisement of contracts of over £25,000 in value, on the Government website, Contracts Finder. Please contact Kate Price (Procurement Manager) at: kate.price@soas.ac.uk All bids must be evaluated through an auditable, formal evaluation process.

2.4.2 Above EU Threshold Contracts

Unless procured through a Public Sector framework agreement, all contracts above the EU Thresholds must be advertised in the Official Journal of the European Union (OJEU), on the UK Government website, Contracts Finder and the SOAS website. The subsequent procurement should then be carried out using one of the following procedures:

- a. Open
- b. Restricted

- c. Competitive with Negotiation
- d. Competitive Dialogue
- e. Innovation & Partnership

See [EU Thresholds & Timescales](#)

Please contact Kate Price (Procurement Manager) at: kate.price@soas.ac.uk regarding the procurement of any contracts over EU Thresholds.

2.4.3 Framework Agreements

Quotations and tenders can be obtained for both below and above EU threshold contracts through framework agreements.

Framework agreements are pre-tendered contracts that set out the terms and conditions under which individual, specific procurements can be made.

Some of the benefits of using framework agreements are:

- a. Reduction in time taken to tender
- b. Reduction in cost of tendering
- c. Better value through economies of scale and support of dedicated professional category buyers
- d. Reduction in legal risk
- e. Improved post-purchase terms

Organisations that let framework agreements which SOAS can access are listed at: [Public Sector Purchasing Consortia](#). Whilst SOAS is entitled to procure through most of the agreements, as the entitlement to procure and the method of procuring is specific to each agreement, it is necessary to review the terms of an agreement before proceeding.

2.5 Disclosure of interest

Any personal interest in the possible outcome of a procurement exercise should be declared to the Registrar, Secretary or Director of Finance & Planning as per Sections 6 and 18 of the [Financial Regulations](#)

2.6 Budgetary Approval

Ensure you have outline budgetary approval from the budget holder and any other appropriate authority as per Annex A "Financial Authorities" of the [Financial Regulations](#)

Once all the pre-procurement steps have been carried out you can commence the procurement using one of the following procedures.

Clear, auditable records must be retained throughout all procurements.

3. Procurement

3.1 Informal Quotation Procedure

3.1.1 Seek quotations

Informal Quotations may be from a catalogue, the Internet etc.

3.1.2 Select the quotation that provides Best Value

If only one quotation is required, provided it is within budget, reasonable and acceptable, go to step 3.1.3. If more than one quotation is required, select the quotation that provides best value, prepare a simple evaluation report outlining the reason for your selection and then go to step 3.1.3.

3.1.3 Raise Purchase Order

A purchase order must be raised for all procurements other than:

- a. Utilities (water, energy, telephone charges)
- b. Rent
- c. Taxes
- d. Insurance
- e. Taxi Services
- f. Travel or accommodation bought through the corporate contract with Key Travel

The quotations, evaluation report and any other appropriate documentation should be attached to the requisition. For guidance on raising purchase orders, go to [Agresso - Procurement](#)

3.2 Formal Quotation Procedure

The complexity and detail of the procedure depends on the nature and value of the contract. You should therefore consider each of the steps outlined below and take the appropriate course of action.

3.2.1 Obtain a contract reference number from the Procurement Manager kate.price@soas.ac.uk for contracts of over £25,000 (ex. VAT) in value.

3.2.2 Prepare the Specification

The specification defines what is required and consequently what the supplier is expected to provide. [Tips on Writing Specifications](#)

As the criteria used for evaluating bids should reflect the requirements of the specification they should be developed at the same time.

3.2.3 Ensure data protection requirements are met

During the procurement process an assessment must be made as to whether or not the successful supplier will be acting as a “data processor” for SOAS (the “data controller”) as defined within the Data Protection Act 1998. If so, SOAS must comply with Schedules Part II 12 (a) and (b) below:

“Where processing of personal data is carried out by a data processor on behalf of a data controller, the data controller is not to be regarded as complying with the seventh principle unless:

- a. The processing is carried out under a contract
 - i. Which is made or evidenced in writing, and
 - ii. Under which the data processor is to act only on instructions from the data controller, and
- b. the contract requires the data processor to comply with obligations equivalent to those imposed on a data controller by the seventh principle”

This means that there must be a contract in place which sets out SOAS's requirements in relation to the security of the personal data which the supplier will be processing on SOAS's behalf.

In all other cases (where the supplier will not be a data processor) it is still necessary to carry out an assessment to determine whether any security or confidentiality obligations should be placed on the supplier. Checks must be made to ensure that the supplier is both willing to agree to those obligations and is capable of complying with them.

Please liaise with the Information Compliance Manager (dataprotection@soas.ac.uk) to ensure the above requirements are satisfied.

3.2.4 Prepare the Invitation to Quote (ITQ)

Formal documentation may not be appropriate for your needs. However, if it is, an [Invitation to Quote](#) may be useful. Otherwise, a specification and a covering letter providing details of the procurement along with a closing date and time for receipt of bids will be sufficient.

If the contract value is over £25,000 (ex. VAT) and suppliers are to be included in the bidding process that are not on the SOAS supplier database, a [Shortened Questionnaire](#) must be used.

3.2.5 Seek Quotations through [Invitation](#) or [Advertisement](#)

3.2.6 Select the quotation that provides Best Value.

The evaluation process and conclusion must be fair, transparent and recorded. In order to take into account the relative values of both price and quality it should be carried out using the “Most Economically Advantageous Tender” (MEAT) evaluation mode. The [Guidance on MEAT evaluation](#) may be of use as will [Examples of quality scoring methodology](#)

The Freedom of Information Act entitles bidders to see details of the process and the outcome. Consequently direct access to accurate records is essential.

3.2.7 Submit a report of the outcome of the evaluation to the budget holder and any other appropriate authority as per Annex A “Financial Authorities” of the [Financial Regulations](#) for authorisation to proceed with award.

3.2.8 Advise bidders.

Advising both successful and unsuccessful bidders of the outcome of the evaluation is good for on-going customer/supplier relationships. If appropriate an [Unsuccessful Quotation Letter](#) template may be useful.

3.2.9 Raise Purchase Order

A purchase order must be raised for all procurements other than:

- a. Utilities (water, energy, telephone charges)
- b. Rent
- c. Taxes
- d. Insurance
- e. Taxi Services
- f. Travel or accommodation bought through the corporate contract with Key Travel

The quotations, evaluation report and any other appropriate documentation should be attached to the requisition. For guidance on raising purchase orders, go to [Agresso - Procurement](#)

3.3 Informal Tender Procedure

The complexity and detail of each step of the procedure depends on the nature and value of the contract. You must therefore consider each step in light of that and take the appropriate course of action.

3.3.1 Obtain a contract reference number from the Procurement Manager kate.price@soas.ac.uk for contracts of over £25,000 (ex. VAT) in value.

3.3.2 Prepare the Specification

The specification defines what is required and consequently what the supplier is expected to provide. See [Tips on Writing Specifications](#)

As the criteria used for evaluating bids should reflect the requirements of the specification they should be developed at the same time.

3.3.3 Ensure data protection requirements are met

During the procurement process an assessment must be made as to whether or not the successful supplier will be acting as a “data processor” for SOAS (the “data controller”) as defined within the Data Protection Act 1998. If so, SOAS must comply with Schedules Part II 12 (a) and (b) below:

“Where processing of personal data is carried out by a data processor on behalf of a data controller, the data controller is not to be regarded as complying with the seventh principle unless:

- a. The processing is carried out under a contract
 - i. Which is made or evidenced in writing, and
 - ii. Under which the data processor is to act only on instructions from the data controller, and
- b. the contract requires the data processor to comply with obligations equivalent to those imposed on a data controller by the seventh principle”

This means that there must be a contract in place which sets out SOAS's requirements in relation to the security of the personal data which the supplier will be processing on SOAS's behalf.

In all other cases (where the supplier will not be a data processor) it is still necessary to carry out an assessment to determine whether any security or confidentiality obligations should be placed on the supplier. Checks must be made to ensure that the supplier is both willing to agree to those obligations and is capable of complying with them.

Please liaise with the Information Compliance Manager (dataprotection@soas.ac.uk) to ensure the above requirements are satisfied.

3.3.4 Consider the Terms & Conditions of Contract

The final step in every procurement is to issue a purchase order which, once accepted by the supplier, becomes a binding contract. SOAS purchase orders are issued on the understanding that SOAS [Standard Terms of Contract](#) will apply. You may wish to add further special terms and conditions of contract

depending on the nature of the particular procurement in hand. For example, [Terms & Conditions for Consultancy](#) or [Terms & Conditions for Services](#)

3.3.5 Compile the Invitation to Tender documentation

Select and edit the [Informal Invitation to Tender template](#).

If the contract value is over £25,000 (ex. VAT) and suppliers are to be included in the bidding process that are not on the SOAS supplier database, a [Shortened Selection Questionnaire](#) must be used. Otherwise, a [Standard Selection Questionnaire](#) must be used for all contracts of over £50,000 in value.

A questionnaire provides information about the bidder to enable evaluation of their capacity to perform the contract

The documentation should include an introductory letter/email, the SOAS Standard Terms of Contract and any special terms & conditions required

3.3.6 Seek tenders through **Invitation** or **Advertisement**

3.3.7 Select the tender that provides Best Value.

The evaluation process and conclusion must be fair, transparent and recorded. In order to take into account the relative values of both price and quality it should be carried out using the “Most Economically Advantageous Tender” (MEAT) evaluation mode. The [Guidance on MEAT evaluation](#) may be of use as will [Examples of quality scoring methodology](#), [Guidance on Questionnaire Scoring Methodology](#) and [Guidance on PQQ Weightings](#)

The Freedom of Information Act entitles bidders to see details of the process and the outcome. Consequently direct access to accurate records is essential.

3.3.8 Submit a report of the outcome of the evaluation to the budget holder and any other appropriate authority as per Annex A “Financial Authorities” of the [Financial Regulations](#) for authorisation to proceed with award.

3.3.9 Advise bidders.

You should advise the bidders of the outcome of the evaluation as soon as possible and provide them with appropriate feedback no less than that promised in the Invitation to Tender. They may ask for further feedback such as reasons for the decision and the characteristics and relative advantages of their bids and the winning bids. If appropriate an [Unsuccessful tender template](#) and [Successful tender template](#) may be useful.

3.3.10 Prepare the contract

If an individual contract is required, please contact the Procurement Manager kate.price@soas.ac.uk

3.3.11 Raise Purchase Order

A purchase order must be raised for all procurements other than:

- a. Utilities (water, energy, telephone charges)
- b. Rent
- c. Taxes

SOAS Procurement Procedure

- d. Insurance
- e. Taxi Services
- f. Travel or accommodation bought through the corporate contract with Key Travel

The tenders, evaluation report and any other appropriate documentation should be attached to the requisition. For guidance on raising purchase orders, go to [Agresso - Procurement](#)

3.4 Formal Tender Procedure

The complexity and detail of each step of the procedure depends on the nature and value of the contract. You must therefore consider each step in light of that and take the appropriate course of action.

- 3.4.1 Obtain a contract reference number from the Procurement Manager kate.price@soas.ac.uk for contracts of over £25,000 (ex. VAT) in value.
- 3.4.2 Select and edit the [Invitation to Tender \[Formal\]](#) template
If the contract value is over £25,000 (ex. VAT) and suppliers are to be included in the bidding process that are not on the SOAS supplier database, a [Shortened Selection Questionnaire](#) must be used. Otherwise, a [Standard Selection Questionnaire](#) must be used for all contracts of over £50,000 in value.
A questionnaire provides information about the bidder to enable evaluation of their capacity to perform the contract
- 3.4.3 Prepare the Specification
The specification defines what is required and consequently what the supplier is expected to provide. See [Tips on Writing Specifications](#)
As the criteria used for evaluating bids should reflect the requirements of the specification they should be developed at the same time.
- 3.4.4 Ensure data protection requirements are met
During the procurement process an assessment must be made as to whether or not the successful supplier will be acting as a “data processor” for SOAS (the “data controller”) as defined within the Data Protection Act 1998. If so, SOAS must comply with Schedules Part II 12 (a) and (b) below:
“Where processing of personal data is carried out by a data processor on behalf of a data controller, the data controller is not to be regarded as complying with the seventh principle unless:
a. The processing is carried out under a contract
i. Which is made or evidenced in writing, and
ii. Under which the data processor is to act only on instructions from the data controller, and
b. the contract requires the data processor to comply with obligations equivalent to those imposed on a data controller by the seventh principle”

This means that there must be a contract in place which sets out SOAS's requirements in relation to the security of the personal data which the supplier will be processing on SOAS's behalf.

In all other cases (where the supplier will not be a data processor) it is still necessary to carry out an assessment to determine whether any security or confidentiality obligations should be placed on the supplier. Checks must be made to ensure that the supplier is both willing to agree to those obligations and is capable of complying with them.

Please liaise with the Information Compliance Manager (dataprotection@soas.ac.uk) to ensure the above requirements are satisfied.

3.4.5 Consider the Terms & Conditions of Contract

The final step in every procurement is to issue a purchase order which, once accepted by the supplier, becomes a binding contract. SOAS purchase orders are issued on the understanding that the [SOAS Standard Terms of Contract](#) will apply. You may wish to add further special terms and conditions of contract depending on the nature of the particular procurement in hand. For example, [Terms & Conditions for Consultancy](#) or [Terms & Conditions for Services](#)

3.4.6 Compile the Invitation to Tender documentation

The documentation should include:

- a. An introductory letter/email
- b. The Open Procedure or Restricted Procedure Invitation to Tender
- c. The SOAS Standard Terms of Contract and any additional special terms & conditions
- d. A Questionnaire

3.4.7 Seek tenders through **Invitation** or **Advertisement**

3.4.8 Receive and open tenders

The opening of tenders should be witnessed by at least one other person and recorded

3.4.9 Select the tender which provides Best Value.

The evaluation process and conclusion must be fair, transparent and recorded. In order to take into account the relative values of both price and quality it should be carried out using the “Most Economically Advantageous Tender” (MEAT) evaluation model. The [Guidance on MEAT evaluation](#) may be of use as will [Examples of quality scoring methodology](#), [Guidance on PQQ weightings](#) and [Guidance on Questionnaire Scoring Methodology](#)

The Freedom of Information Act entitles bidders to see details of the process and the outcome. Consequently direct access to accurate records is essential.

3.4.10 Submit a report of the outcome of the evaluation to the budget holder and any other appropriate authority as per Annex A “Financial Authorities” of the [Financial Regulations](#) for authorisation to proceed with award.

3.4.11 Advise bidders.

You should advise the bidders of the outcome of the evaluation as soon as possible and provide them with appropriate feedback no less than that promised in the Invitation to Tender. They may ask for further feedback such as reasons for the decision and the characteristics and relative advantages of their bids and the winning bids. If appropriate an [Unsuccessful tender template](#) and [Successful tender template](#) may be useful.

3.4.12 Prepare the contract

If an individual contract is required, please contact the Procurement Manager kate.price@soas.ac.uk

3.4.13 Raise Purchase Order

A purchase order must be raised for all procurements other than:

- a. Utilities (water, energy, telephone charges)
- b. Rent
- c. Taxes
- d. Insurance
- e. Taxi Services
- f. Travel or accommodation bought through the corporate contract with Key Travel

The tenders, evaluation report and any other appropriate documentation should be attached to the requisition. For guidance on raising purchase orders, go to [Agresso - Procurement](#)

3.5 EU Procedures

The procurement of public sector contracts above set values is bound, through legislation, by specific time restraints and procedures.

A brief guide to EU Public Procurement Legislation can be found [here](#)

A guide to the contract value thresholds and procedural timescales can be found [here](#).

Five procedures are set out in the legislation:

1. Open Procedure
2. Restricted Procedure
3. Competitive Procedure with Negotiation
4. Competitive Dialogue
5. Innovation Partnership

As the procurement of all contracts over the EU thresholds will be led by the Procurement Manager and as use of any procedure other than the Open or Restricted procedures is unlikely, the following is a summary of those procedures

3.5.1 Open Procedure

The Open Procedure is a one-stage procedure in which all organisations responding to the OJEU Notice can submit a tender for evaluation. As there is no opportunity to short-list candidates, it is only suitable for procurements where a limited number of applicants are anticipated.

3.5.2 Restricted Procedure

The Restricted Procedure is a two-stage procedure in which a Standard Selection Questionnaire (SSQ) is used to create a short list of the most suitable suppliers to invite to tender. The selection process focuses on the supplier's characteristics and suitability in principal to provide the requirement.

This is the most commonly used and preferred procedure.

3.6 Framework Agreements

If you are procuring through a framework agreement you should follow the instructions detailed in the framework's "Buyers Guide". See [Framework Agreements](#)