



Omega Multi-Academy Trust

Competitive Tendering Policy

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| Date policy last reviewed | July 2022 |
| Policy Type | Mandatory |
| Owner | Chief Financial & Operating Officer |
| Approved By | Trust Board |
| Approval Date | 5 th July 2022 |
| Next Review Date | July 2023 |

Review Date & Summary Changes

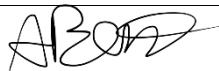
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| July 2022 | This policy is addition to the Financial Regulations and Procedures and is requirement of the Academies Trust Handbook |
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Signed by:



CEO

Date: 05/07/2022



Chair of Trustees

Date: 05/07/2022

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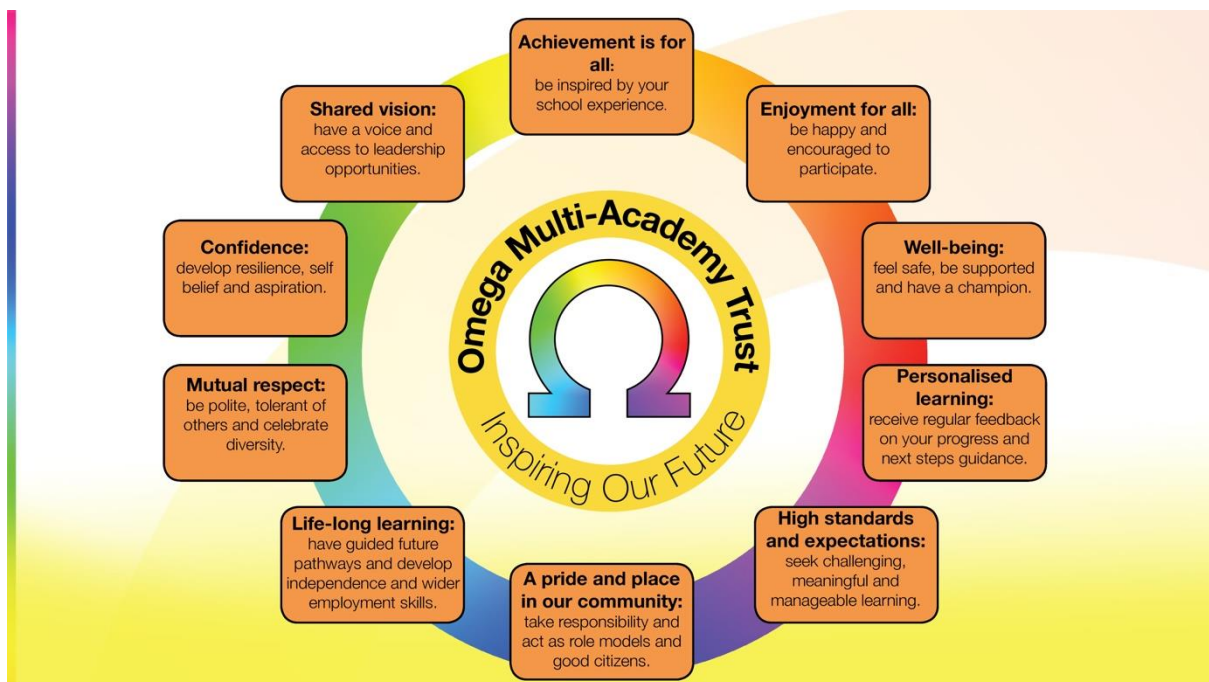
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Omega Multi-Academy Trust

Mission Statement

The Omega learning community provides excellent teaching and learning with passion and purpose, based on core values, understood by all. Working in a warm and welcoming, yet purposeful environment, our mission is for everyone to be happy and inspired by their school experience. We empower students to harness their own creativity, to raise their aspirations and to achieve their potential. Working together, they gain confidence and pride to take their place in our community.



1. Aims

This policy aims to ensure that:

- The Academy Trust's funds are used only in accordance with the law, its Articles of Association, its funding agreement and the Academy Trust Handbook.
- The Trust's funds are used in a way that commands broad public support.
- Value for money (economy, efficiency and effectiveness) is achieved.
- The Board of Trustees fulfil their duties and responsibilities as charity trustees.

2. Legislation and guidance

The [Academy Trust Handbook](#) states that academy trusts are required to have a competitive tendering policy and ensure that procurement rules and thresholds in the Public Contracts Regulations 2015 and Find a Tender service are observed.

This policy is based on the Academy Trust Handbook and [Department for Education \(DfE\) guidance on procurement](#).

This policy also complies with our funding agreement and Articles of Association.

3. Roles and responsibilities

3.1 The Board of Trustees

The Board of Trustees will ensure that:

- Spending decisions represent value for money.
- The Trust's funds are used in a way that commands broad public support.
- Relevant professional advice (including Internal and External Auditors) is used, where appropriate.
- Goods or services provided by individuals or organisations connected to the Trust are provided at no more than cost (Related Part Transactions).
- Nobody connected to the Trust, directly or indirectly, uses their connection to the Trust for personal gain.
- Where any Trustee has a pecuniary interest in a procurement decision, they exclude themselves from the process and records (e.g. meeting minutes) show that they had no influence on the decision.

3.2 Finance, Audit and Risk Committee

The Board of Trustees delegate oversight of competitive tendering responsibilities to the Finance, Audit & Risk Committee.

The Committee is responsible for reviewing the Trust's tendering processes and for reporting to the Board regarding tenders, further to which the Board has decision-making responsibilities.

3.3 Chief Financial and Operating Officer

The Chief Financial and Operating Officer (CFOO) is responsible for:

- Ensuring that appropriate financial governance and risk management arrangements are in place.
- Preparing and monitoring budgets.
- Providing information to the Finance, Audit & Risk Committee and the Board of Trustees, as appropriate.
- Overseeing and supporting competitive tendering.

4. Purchase thresholds

4.1. Low to high-value purchase thresholds

Purchase levels are divided into the following:

- Low-value purchase: £0 to less than £10,000
- Medium-value purchase: £10,000 to less than £30,000
- High-value purchase: over £30,000

4.1 Public Contract Regulations 2015

If it is estimated that the cost of a contract is above the Public Contract Regulations 2015 thresholds for procurement spending, the Trust will follow the Public Contract Regulations 2015 and seek legal advice as appropriate. The current Public Contract Regulations 2015 thresholds as at 1 January 2022 are as follows:

- i) Public works £5,336,938
- ii) Public supply and services contracts awarded by sub-central contracting authorities £213,477

5. Framework agreements

Where possible, we will use a framework agreement to contract suppliers. These are arrangements that a contracting authority, such as a public sector buying organisation, makes with suppliers. The benefits of frameworks are that they have already been through a competitive tendering process and they have favourable terms and conditions. In addition, the framework provider may offer advice and support.

Depending on the framework we choose, we will either pick the best value supplier from a list or run a mini-competition between listed suppliers. In either case we will follow the DfE guidance on procurement (see section 2 of this policy) to ensure good practice. The reasons for the choice of framework and for the choice of supplier will be clearly recorded.

The Chief Financial and Operating Officer will approve any proposals to use a framework agreement.

6. Low-value purchases

6.1 Quotations – below £1,000 the budget holder shall have the discretion to decide whether or not to obtain quotations, but value for money must always be obtained. Between £1,000 and £10,000 three quotes should be obtained whenever possible for a new supply of goods and/or services.

7. Medium-value purchases

When making medium-value purchases without a framework agreement, the Trust will use the process outlined below unless prior approval has been obtained by the CEO or CFOO:

7.1 Create a specification – a specification document will set out what suppliers need to understand about what we are looking to buy, including the quality, quantity and delivery date.

7.2 Compare suppliers – a comparison of different suppliers, including their reputation, will help the trust develop a shortlist of at least 3 suppliers we want to approach for a written quote.

7.3 Assess quotes – an award criteria will be developed to assess suppliers' quotes. Criteria may include:

- How well the supplier meets our specification.
- The whole-life cost of the contract, which may include:
 - The sale price of the goods, works or services
 - VAT
 - Delivery charges
 - Maintenance costs
 - Running costs
 - The cost of removing and disposing of an item or service once we no longer need it.
- Whether there will be price increases or decreases over the life of the contract.
- Value for money.
Each aspect of the criteria will be scored on a scale of 1 to 5, with 5 being the highest score. A record of how the quotes are evaluated will be kept. The CEO will evaluate quotes with support from the CFOO.
When we contact suppliers, we will send them:
 - The specification.
 - Deadlines for quotes and when decisions will be made.
- Instructions for how to ask clarification questions about the specification.

7.4 Place an order – when the best value quote is identified we will send the supplier a purchase order, which includes details of the:

- Goods, works or services we are purchasing.
- Price.
- Delivery address.
- Delivery deadline and any other important dates.
- Payment schedule.

8. Tendering procedure: high-value purchases

The Trust will make high-value purchases without a framework only in rare circumstances and only with legal support. When this does happen, we will use the process below:

8.1 Create a specification – a specification document will set out what suppliers need to understand about what we are looking to buy, including the quality, quantity and delivery date.

8.2 Assess the market – we will prepare for the tendering process by developing our knowledge of the market. We will find out how many suppliers are available and the best way to advertise our contract to a range of suppliers.

8.3 Check the Trusts's position in relation to Public Contract Regulations 2015 procurement thresholds (see section 4).

8.4 Develop a service level agreement (SLA) – an SLA sets out the standards of service expected from a supplier. Some suppliers may have their own SLAs, which the

Trust will consider using on a case-by-case basis.

8.5 Develop a contract – a contract will include terms and conditions, a contract management plan and an exit strategy.

8.6 Reduce the number of bids – to reduce the number of bids which the Trust needs to evaluate, we will either use an expression of interest process to gauge interest in

the contract or a pre-qualification questionnaire.

8.7 Establish how we will assess quotes – we will set out criteria that will allow us to evaluate which of the suppliers' bids best meets the requirements in our specification and is the most economically advantageous tender that best combines cost and quality.

8.8 Create a timeline for the tender process – this will include the dates of the clarification period, the deadline for submitting tenders and the date we expect to award the contract.

8.9 Prepare an invitation to tender – this will include:

- A covering letter with a timeline for the process.
- Instructions on how suppliers can ask clarification questions and submit their tender.
- The specification.
- A pricing schedule.
- Any SLA requirements.
- The contract's terms and conditions.
- Contract management requirements (see 'develop a contract' above).
- Award criteria, including the scoring system and any weightings.
- If appropriate, an invitation for suppliers to give a practical demonstration of their goods, works or services.

8.10 Advertise the contract – the contract will be advertised where suppliers are likely to look, such as:

- The Government's Find a Tender Service (FTS).
- Local or national newspapers.
- Education publications or websites.
- Trade magazines.

8.11 Run the tender process and provide clarifications.

8.12 Evaluate tender responses – at least 2 people will independently score and evaluate each bid and then compare notes after completing their evaluations. Records of decision-making and moderation decisions will be kept.

8.13 Notify suppliers and award the contract.

8.14 Finalise the contract (and advertise the award, if the contract was advertised in the FTS).

8.15 Abandoning the tender process – on very rare occasions we may need to halt the tender process. Should this occur, we will notify suppliers who are preparing their bids as soon as possible.

9. Monitoring arrangements

The Chief Financial and Operating Officer is responsible for the implementation of this policy. This policy will be reviewed and approved by the Board every three years and when Public Contract Regulations 2015 thresholds change.

10. Equality impact statement

We will do all we can to ensure that this policy does not discriminate, directly or indirectly. We shall do this through regular monitoring and evaluation of our policies. On review we shall assess and consult relevant stakeholders on the likely impact of our policies on the promotion of all aspects of equality, as laid down in the Equality

Act (2010). This will include, but not necessarily be limited to: race; gender; sexual orientation; disability; ethnicity; religion; cultural beliefs and pregnancy/maternity.