

Procurement Policy

Summary

To guide the purchase by the University of goods, services and works in line with regulatory requirements and the University's strategic objectives.

Control information:	Control detail:
Owner	Director of Procurement, Finance Services
Author	Director of Procurement, Finance Services
Sponsor	Chief Financial Officer, Senior Team
Approved by	University Executive Board
Responsible area	Finance Services
Version	6
Approval date	18 February 2025
Effective date	24 February 2025
Date of last interim review	01 October 2023
Full review period	3 years
Date of next full review	24 February 2028
EIA completion date	N/A
DPIA assessment date	N/A
Reporting requirements	Statutory Notices to be published when required
Applicable statutory, legal or best practice requirements	Subject to University Financial Regulations, and statutory requirements under Procurement Act 2023 where these apply
Keywords	Approval, Goods and Services, Works, Procurement, Public Contracts Regulations, Purchasing, Sourcing, Supplier, Thresholds, Framework

Related information	Equality and Diversity Statement , The Policy & Strategy for Sustainability , Conflict of Interest Regulations , Anti-Bribery Policy , Counter Fraud Policy , Financial Regulations
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1. Updates to this policy

- 1.1. This Policy sets out the principles and procedures of the University of Bristol (the “University”) for the purchase of goods, services and works following the entry into force of the Procurement Act 2023.

2. Introduction

- 2.1. The University has established principles and procedures to govern how goods, services and works should be specified, sourced and contract-managed in order to support the University’s vision and strategy.
- 2.2. The vision and strategy is to sustain and improve upon our world-leading reputation for research and embrace educational innovation that will nurture skill, adaptable and resilient graduates. More detail can be found at: [Vision and strategy | About the University | University of Bristol](#).
- 2.3. The University’s procurement vision is to contribute to the University’s vision and strategy by ensuring that goods, services and works are identified and purchased in a way that supports the delivery of outstanding research, innovative education, a rewarding student experience and makes a significant contribution to the economic, social and environmental well-being of Bristol and the South West. This is described in our [Responsible Procurement Plan](#).

3. Scope

- 3.1. This Procurement Policy includes local rules and guidance for the purchasing of goods, services and works by the University, and applies to everyone involved in these processes – from staff who may require an individual product on an ad hoc basis, to stakeholders involved in the development of a specification, to procurement professionals who are involved in all aspects of the Procurement Pathway (see [Purchasing Functions within the University](#)) on a daily basis.

4. Definitions

- 4.1. **Authority to Award:** A formal record of the outcome come a procurement process and of the decision to award (or not to award) a contract. Approved jointly by the Procurement Team and the relevant Business Owner.

- 4.2. **Business Owner:** A University decision-maker with authority to define business requirements.
- 4.3. **Commodity Management:** The management of procurement activities related to specific goods or services (commodities), including supplier selection, contract management, and performance monitoring.
- 4.4. **Options Appraisal:** The collaborative commissioning form used by procurement and the business owner to define the requirements of a procurement process and how these will be achieved.
- 4.5. **Procurement:** The process of sourcing and purchasing goods, services, or works from suppliers to meet the University's operational and strategic needs.
- 4.6. **Procurement Threshold:** A value limit above which formal procurement procedures must be followed to ensure transparency, competition, and compliance in purchasing activities.
- 4.7. **Supplier Rationalisation:** The process of reviewing and reducing the number of suppliers in a specific commodity area to optimise the supplier base and improve efficiency.
- 4.8. **Commodity Management:** The management of procurement activities related to specific goods or services (commodities), including supplier selection, contract management, and performance monitoring.

5. Responsibilities

- 5.1. **Strategic leadership:** Develop procurement strategies aligned with university goals and oversee supplier relationships and performance to ensure cost efficiency and value for money.
- 5.2. **The Procurement Team:** Manage contracts, monitors supplier performance, and lead efforts in continuous improvement and supplier rationalisation to drive efficiency.
- 5.3. **Budget Holders:** Ensure procurement stays within financial limits, collaborate with the Procurement Team, and track cost savings while meeting departmental needs.
- 5.4. **Procurement Managers and Department Representatives:** Manage day-to-day procurement, define departmental needs, evaluate suppliers, and provide feedback on performance.

5.5. **Cross-functional stakeholders:** Collaborate to assess risks, optimise suppliers, and contribute to procurement decisions, ensuring alignment with university priorities.

6. Procurement principles

6.1. The University has defined a set of Procurement Principles to guide purchasing activity.



Figure 1: Responsible Procurement Values

6.2. When sourcing goods, services, and works, the University will seek to adopt best practice and will be mindful of:

- a. Value for Money (“VFM”)
- b. Public benefit
- c. Integrity
- d. Equal treatment
- e. Responsible, ethical and sustainable sourcing

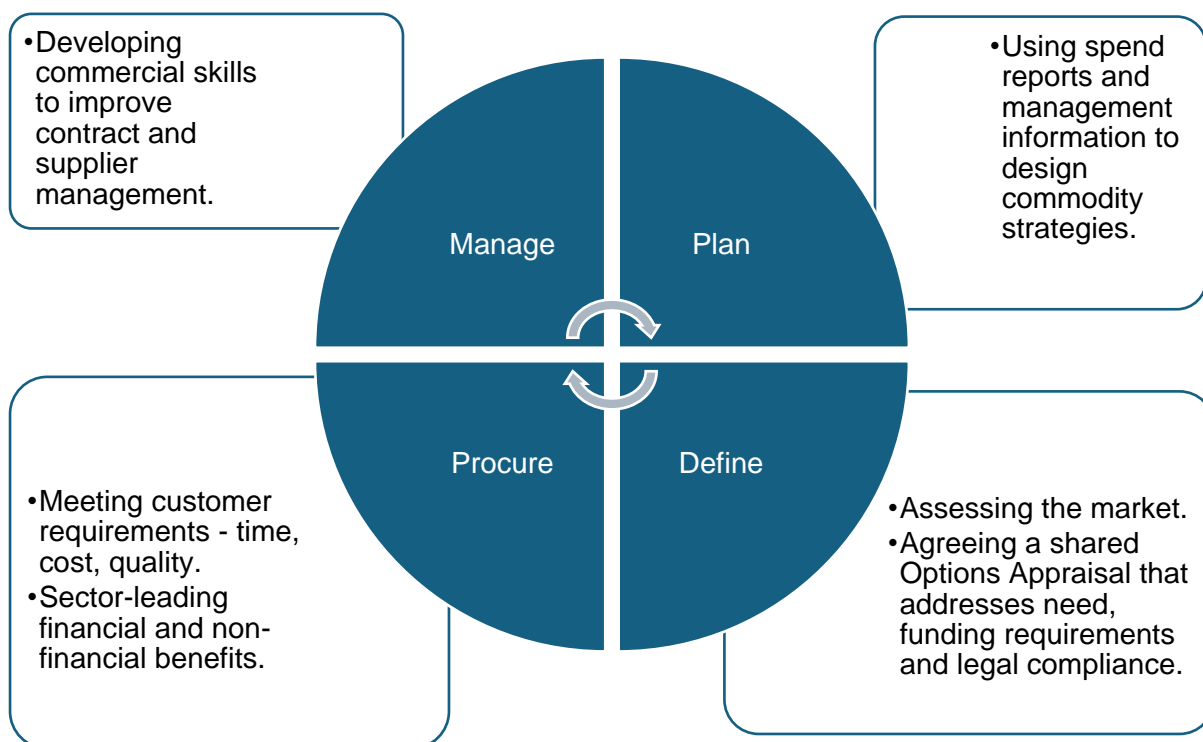
- f. Proportionality, including appropriate competition and transparency; and
- g. Compliance with legislative obligations (including laws and regulations governing public procurement where they apply),

6.3. together, the “**Procurement Principles**”.

7. Purchasing functions within the University

7.1. The Procurement Team is a part of the Finance Division. The Procurement Team oversees all purchasing activities at the University involving all divisions and schools. Purchases range from office supplies to research equipment, repairs and maintenance, IT, travel and professional services.

7.2. The University adopts the following ‘Procurement Pathway’ model to develop commercial practice: Plan, Define, Procure, Manage.



7.3. Authorisation must be sought from the Procurement Team for all purchasing above the designated procurement threshold as set out in [Procurement Thresholds](#).

7.4. It is within the Procurement Team’s delegated authority to approve the way in which goods, services and works will be sourced, and to sign any resulting contract(s). The route to market will be detailed in an Options Appraisal agreed jointly by the Business Owner and the Procurement Team.

- 7.5. The Procurement Team may designate certain commodities or professional disciplines as requiring ‘triple approval’, by a Procurement approver, by the Business Owner, and by a central functional authority for that commodity or professional discipline. This is to improve professional practice and common standards in identified areas.
- 7.6. Contracts within the scope of this Procurement Policy should be signed in accordance with section 7.7, not by Budget Holders or Finance Business Partners (even where they have financial delegation to commit the spend involved).
- 7.7. Contracts executed as a simple contract (rather than as a deed), whether electronically or on paper, should be signed by an authorised signatory in the Procurement Team according to the following delegated authority list depending (all sums are exclusive of VAT), and subject to [Procurement Thresholds](#):
- a. From £25,000 to £250,000 ¹ – Procurement Manager
 - b. Up to £1m ¹ – Senior Procurement Manager
 - c. Up to £5m – Director of Procurement
 - d. Above £5m – Chief Financial Officer or Group Finance Director; and
 - e. Contracts with a value above £20m require Board of Trustee approval prior to signature.
- 7.8. Please see [Choice of Procedures in Appendix 1](#) for the direct award grounds in respect of procurement processes conducted within the University’s own rules.
- 7.9. Contracts that require execution as a deed should be sealed in line with the University’s deed sealing procedure, as maintained by the Secretary’s Office.
- 7.10. It is the responsibility of the Procurement Team to provide guidance to the wider University to ensure no breach of applicable law occurs (including, where a procurement is in scope, under the Procurement Act 2023 and any subordinate or implementing legislation (together, the “Procurement Legislation”), thus protecting the University’s legal and reputational position.

¹ Contracts above £25,000 in value (exclusive of VAT) that require a single tender action (or ‘direct award’) for any reason other than the absence of competition for technical reasons or artistic performance will require the specific consent of the Director of Procurement, which may be delegated.

8. Purpose of the Procurement Team

- 8.1. The Procurement Team works in conjunction with the University's strategic objectives. The Procurement Team will reflect and support the University's mission, vision and values by working with staff and suppliers to optimise the procurement of goods, services and works, guided by the Responsible Procurement Plan.
- 8.2. The Procurement Team will provide professional support to the University in obtaining the goods, services and works best suited to the application. This will be underpinned by consideration of:
- a. VFM
 - b. Whole Life Costs
 - c. Environmental Sustainability and Social Value
 - d. Ethical considerations
 - e. Transparency
 - f. Contractual compliance with applicable law and regulations.

9. Regulatory position

- 9.1. This Procurement Policy is designed to assist staff to comply with current legislation, policies and regulations, and those relevant to procurement are listed in [Legislative Environment](#).
- 9.2. The University is not a 'contracting authority' for the purposes of the Procurement Act 2023, from the point of its full entry into force on 24 February 2025.
- 9.3. In circumstances where the University advertises public contracts (and publishes associated information) via the UK e-notification services (the 'Central Digital Platform'), it does so on a voluntary basis and does not undertake any obligation to comply with the Procurement Legislation. When publishing opportunities in this way, the University reserves its rights in full to adapt or step outside the procedures in the Procurement Legislation as the University considers necessary.
- 9.4. However, the University reserves the right (despite not being under a general legal obligation to adhere to the Procurement Legislation) to undertake certain tender

exercises in accordance with the Procurement Legislation, either where mandated by the requirements of project funding or voluntarily and at the University's own discretion.

9.5. The procedure the University commits to following for any individual procurement will be agreed within the Options Appraisal, which will be jointly approved by the relevant Business Owner and by the appropriate member of the Procurement Team according to the delegated authority detailed in [Purchasing Functions](#) within the University.

9.6. The University will describe the appropriate procurement process, including whether this is within or outside the Procurement Legislation, in the procurement documents.

9.7. For the avoidance of doubt, the University not being a 'contracting authority' for the purposes of the Procurement Act 2023 does not affect the application to the University of other legislation governing public bodies (for example in the context of subsidy control or the rules governing freedom of information).

10. Legislative environment

10.1. The legislative environment in which the University operates means that those within the University who are responsible for purchasing goods, services and / or works, need to be aware of the requirements of the following legislation (to the extent applicable in respect of a requirement or a procurement exercise):

- a. The Procurement Act 2023
- b. Procurement Policy Notes.
- c. The Subsidy Control Act 2022.
- d. The Higher Education and Research Act 2017.
- e. Managing Public Money Guidance.
- f. The Public Contract Regulations 2015 as amended (will only apply to certain 'legacy' procurements from 24 February 2025, for example call offs under frameworks placed before that date).
- g. The Concession Contracts Regulations 2016 as amended (again, will only apply to certain 'legacy' procurements from 24 February 2025).

- h. The Freedom of Information Act 2000.
- i. The Environmental Information Regulations 2004.
- j. The Bribery Act 2010.
- k. The Data Protection Act 2018 (incorporating the GDPR).
- l. The Modern Slavery Act 2015.

11. Institutional policies

11.1. Those within the University who are responsible for purchasing goods, services and / or works, also need to be aware of the requirements of the following University policies:

- a. The Equality and Diversity Policy
- b. The Sustainability Policy;
- c. The Conflicts of Interest Policy;
- d. The Anti-Bribery Policy;
- e. The Counter Fraud Policy;
- f. The Financial Regulations; and
- g. The Responsible Procurement Plan.

12. Procurement thresholds

12.1. Purchases by the University must adopt the following decision hierarchy (in each case sums are shown exclusive of VAT):

- a. Purchases <£25,000 where no Electronic Catalogue exists: Faculties and Divisions may make their own purchasing decisions and are recommended to seek 3 quotes if appropriate.
- b. Purchases <£25,000 where an Electronic Catalogue exists: Faculties and Divisions should utilise the Electronic Catalogue for the purchase of common goods, if these meet the need.
- c. Purchases >£25,000 over the value of the contract: Faculties and Divisions must propose all purchases to the Procurement Team prior to making any

explicit or implicit commitments, agreements, or understandings with or to any third parties, or seeking to agree or negotiate commercial terms with a third party.

12.2. The Procurement Team will:

- a. Assess the request, agree the most appropriate route to market taking a number of aspects into consideration, including social value, risk and legal procedures, and approve the procurement option as per delegations referred to in [Purchasing Functions within the University](#).
- b. Seek to conduct competitions wherever possible, though other alternative routes to market may be approved in accordance with the University's procedures, applicable law and the Financial Regulations (see Institutional Policies).
- c. Issue guidance on internal thresholds that will guide published and unpublished competitions, including the University's standard expectation that contracts for goods and services with a value over £250,000, and contracts for works with a value over £500,000 will usually be tendered via an advertised competition or framework.
- d. Ensure that any required statutory notifications are published on a risk-assessed basis. All purchasing decisions will be documented in line with University procedures.
- e. Complete an Options Appraisal, determining and documenting the appropriate route to market.

12.3. Electronic Catalogue – the Procurement Team maintains the University's eMarketplace, and may require that all products from a particular product type be purchased from the eMarketplace (for purchases of any value). If an eMarketplace is in place for particular goods or services, Faculties and Divisions must use it providing the items meet the requirements.

12.4. Special Approval – additional approvals may be imposed on individual commodities in order to ensure that purchases are only made following advice from designated professional leads. This may include purchases involving radiological

material, live animals, IT equipment and Facilities Management services among others. The list will be controlled via the MyERP approval rules.

- 12.5. Principal Investigators need to be aware of any requirements from external funding bodies that may result in different financial thresholds to those specified in the University's Financial Regulations or the Procurement Legislation (if applicable), or which require the University to procure in line with the Procurement Legislation.

13. Governance

- 13.1. The Procurement Legislation sets out the law on procurement, and aims to open up the procurement market, ensuring value for money, social value, openness to small and medium-sized enterprises, commercial delivery, and procurement skills. The Procurement Legislation reflects and reinforces the VFM focus of the government's procurement policy. To achieve VFM for the taxpayer, effectively managed procurements, which are properly planned and executed, are essential.
- 13.2. The Higher Education and Research Act 2017 requires universities to demonstrate VFM and to follow the guidance of the Office for Students.
- 13.3. The HM Treasury Guidance on Managing Public Money describes how institutions must spend public money, notably to follow the grant conditions required by public funding bodies.
- 13.4. The purpose of the Procurement Policy is to drive behaviour towards achieving the strategic objectives of the University and Procurement Principles.
- 13.5. The Procurement Policy will not apply to arrangements unless they involve the purchase of (or provision of, or a concession for) goods, services or works. Notably, the following arrangements are not 'procurements' which are subject to the Procurement Policy:
- a. Collaboration between the University and other universities, or between the University (or groups of universities) and a contracting authority (or groups of contracting authorities) for public benefit.
 - b. Contracts for the acquisition of land or buildings.

- c. Legal representation relating to judicial proceeding or dispute resolution (the appointment of legal advisors generally and call offs from legal services frameworks remain subject to the Procurement Policy).
- d. Legal document certification and authentication.
- e. Financial loans, financial instruments, treasury instruments and money-market transactions.
- f. Employment contracts.
- g. Non- commercial payments to partners and / or sub-awardees named on grant-funded projects for public benefit, who may be recovering a proportion of their costs but are not making a surplus.

13.6. Certain procurements may be regarded as exempt from the full scope of University procurement procedures. This may be due to payment of rent and rates for property or specific NHS medical training etc. The list of such exemptions (which is confidential) is maintained by Procurement Team, and approval for exemptions to be added to this list is at the sole discretion of the Director of Procurement or a Senior Procurement Manager.

13.7. If you are in any doubt as to whether your proposed arrangement falls within one of the exemptions referred to in sections 13.5 to 13.6 above or not, please discuss the matter with the Procurement Team before proceeding. Even where an arrangement is not within the scope of the Procurement Policy, the University of Bristol [Financial Regulations](#) and any other applicable policies should still be applied and followed.

13.8. Different departments across the University have various specialist needs which may result in additional contractual compliance requirements. This can include, for example:

- a. controlled medicines/chemicals
- b. radiological equipment
- c. live animals for the purposes of research
- d. specialist software services

- e. equipment that includes joint partnership working for research and development.

13.9. In all of the examples above, it is important that in order to protect the University's financial position and reputation, we have the right structure, processes and people in place to allow us to focus on meeting our aims and objectives while operating in a regulated environment that is auditable.

13.10. Please bear in mind that, whether or not an arrangement is subject to the Procurement Policy or is within scope of the Procurement Legislation, if the University is giving financial assistance directly or indirectly from public resources, we must comply with (and carry out assessments under) the subsidies regime implemented by the Subsidy Control Act 2022.

14. Confidentiality

14.1. Procurement staff and University staff who are part of any procurement process must maintain confidentiality as commercially valuable information is contained in tenders, contracts and related material.

14.2. However under Freedom of Information legislation, the University may be obliged to disclose this information following a request under the Act. Advice from the University's Information Governance Manager and Data Protection Officer should be sought. Details can be found here: [Data protection | University Secretary's Office | University of Bristol](#)

15. Non-Disclosure Agreements and Confidentiality Disclosure Agreements

15.1. The University conducts world-class research and innovation. For some research and industry sensitive projects, a Non-Disclosure form ("**NDA**") or Confidentiality Disclosure Agreement ("**CDA**") may be required.

15.2. During the tender process you may be required to sign an NDA or CDA. Your procurement lead will be able to advise you.

15.3. Guidance on the commercialisation of research is available at: [Research commercialisation | Business and partnerships | University of Bristol](#).

16. Health and safety

- 16.1. The University's Health and Safety Policy can be found at [Find documents | Safety and Health Services | University of Bristol](#) and should be adhered to whenever goods, services or works are being procured.

17. Sustainable sourcing

- 17.1. The University has a Responsible Procurement Plan to guide all elements of responsible sourcing, notably sustainable procurement, Social Value and ethical sourcing. The Responsible Procurement Plan is published at [Information for staff | Directory of Professional Services | University of Bristol](#).
- 17.2. All procurements undertaken at the University of Bristol are not only selected for VFM but in all cases a balanced consideration of social, ethical, environmental and economic impacts is undertaken throughout the procurement process. This involves:
- a. Considering the life cycle impacts of goods and services to minimise the direct and indirect adverse effects on the environment from cradle to grave.
 - b. Engaging with suppliers to support the University's efforts to report on and reduce its carbon emissions.
 - c. Giving a preference to Fairtrade, or equivalent, and ethically sourced and produced goods and services applying international terms as appropriate to minimize reputational risk to the University.
 - d. Giving preference to suppliers with evidence of strong sustainability performance while working more effectively with diverse, local and SME suppliers in line with Procurement Legislation.
 - e. Ensuring all procurement tenders contain sustainability specifications as appropriate to the product or service being procured in line with the industry standards.
 - f. Ensuring all contracts have fair terms for suppliers to account for supply chain activity, logistics, insurances and payment terms.

- g. Promoting key institutional values, such as Equality, Diversity and Inclusion, and accreditation to the Living Wage Foundation and Universities of Sanctuary.
 - h. Maintaining accreditation with the Chartered Institute of Procurement and Supply (CIPS) Ethical Procurement Standard.
- 17.3. The University will comply with all applicable UK statutory regulations and legislation and ensure our suppliers do the same to contractually protect the University's reputation.

18. Commodity management

- 18.1. All purchase areas are categorised as procurement categories managed and monitored by the Procurement Team. Products and services are grouped together based on the ability of the market to supply.
- 18.2. The Procurement Team continuously works on a strategic approach for all categories with the engagement of internal and external stakeholders and taking into account the governance process at the University.
- 18.3. This is a continuous process with category specific knowledge and expertise along with the use of planning and analytical tools aiding this analysis.

Table 1 - Commodity Management

Campus and Estates Services	IT	Professional Services	Professional Supplies	STEMed
Catering	IT Equipment	Consultancy and Advice	Furniture	Laboratory Equipment
Cleaning	Hosted Services	Training	Books and Periodicals	Laboratory Consumables
Security	Telephony	Temporary Staffing	Office Consumables	Technical Consultancy
Waste	AV Equipment	Events	Deliveries	
Energy		Subscriptions		
Post and Couriers		Financial Services		
Stores		Insurance		
Building Maintenance and Refurbishment		Travel Planning and Management		
Grounds and Maintenance				
Compliance Services				

19. Contract management

- 19.1. All contracts led by the Procurement Team are held centrally by the Procurement Team who will work with internal stakeholders in the management of these contracts against any agreed key performance indicators (KPIs).
- 19.2. Where there is any instance of underperformance or non-performance from a supplier, the school, faculty or department may seek advice from the Procurement Team to enable the management of the contract.
- 19.3. The Procurement Team shall initiate a formal dialogue and meeting with the school, faculty or department and the supplier to address these grievances appropriately in line with the terms and conditions of the contract.

20. Supplier relationship management

- 20.1. It is part of the Procurement Team's strategic plan to develop close and collaborative working relationships with key suppliers across all commodities. This shall enable more organisational efficiencies for the University by working together with both internal and external customers.

21. Supplier rationalisation

- 21.1. The Procurement Team shall regularly review the supplier lists and contracts within each commodity area and rationalise the supplier base, working together with the end users.
- 21.2. Supplier rationalisation is, therefore, any systematic ordering of the supplier base. The Procurement Team shall use this process in order to discern the optimum number of suppliers needed to fulfil the University's business objectives. This may be either an increase or decrease in the number of suppliers currently being used, depending on the nature of existing supplier relationships and the conditions of the market in which they are operating (together with anticipated demand patterns and identified risks).

22. Involvement in the rationalisation process

- 22.1. Due to the potential risks associated with the practice of supplier rationalisation, the decision-making unit shall consist of a cross-functional team of

stakeholders within the organisation. The cross-functional team will be responsible for agreeing the specification for each category. The team shall primarily comprise of the following members:

- a. Director of Procurement and Senior Procurement Managers
- b. budget holders
- c. internal customers.

23. Continuous improvement

- 23.1. The Procurement Team is made up of professionally qualified Procurement staff. The Chartered Institute of Procurement and Supply (CIPS) is the international standard for both public and private sector procurement departments.
- 23.2. In line with the CIPS, continuous improvement consists of making continual small improvements at irregular intervals, requiring close monitoring and control and ideally inbuilt in the organisation's culture.
- 23.3. The Procurement Team strives towards the best CIPS industry standards in procurement practice through continuous improvement, benchmarking of industry and market standards and through business process re-engineering and demonstrating VFM and savings.

24. Procurement Policy Owner

- 24.1. The Director of Procurement owns the Procurement policy and manages the change control. Any changes to the policy shall be authorised in writing by the Director of Procurement.

Appendix 1: Procurement Operational Procedures

1. Operational procedures

- 1.1. The following Operational Procedures describe the University's arrangements for conducting procurement processes within the University's own rules (outside the scope of the Procurement Legislation).
- 1.2. The Procurement Legislation takes precedence over the University's operating procedures set out in this Operational Procedures document only when the University elects to run a process in compliance with the Procurement Legislation.

2. Mixed procurements

- 2.1. Where contracts include more than one type of procurement (e.g. goods, services and works), the procurement will be in accordance with the principal subject matter of the contract.
- 2.2. Where contracts include subject matter that is within scope of the Procurement Policy and subject matter that is exempt under the terms of [Governance](#), then the matters may be concluded separately if this is possible, and if separation is not possible then contracts will be awarded according to the principal subject matter of the contract. For instance, if a lower-value services contract is ancillary to a higher-value land or property transaction, then it will be awarded according to the procedures for land and property transactions, or vice versa according to the principal subject matter of the contract.
- 2.3. Where contracts include subject matter that is within scope of the Procurement Legislation and subject matter that is outside the scope of the Procurement Legislation, then the matters may be concluded separately if this is possible, and if separation is not possible then contracts will be awarded according to the Procurement Legislation.

3. Calculating values

3.1. The value of a contract, for the purposes of determining the appropriate threshold, is the full value of the contract – over the life of the contract, including any options or extensions.

3.2. In order to prevent avoidance of the rule in section 3.1 of [Calculating Values](#), University staff must not submit repeated requisitions to the same bidder in order for a purchase (or series of purchases) to remain below the threshold for the Procurement Team's involvement. The Procurement Team is empowered to deem any requisitions to the same provider for similar work in a three-month period to be part of the same requirement for the purposes of ascertaining the appropriate commercial approach.

4. Vertical and horizontal arrangements and arrangements with other universities and public bodies

4.1. The award of contracts between the University and its wholly-owned subsidiaries is exempt from the Operational Procedures in this [Operational Procedures](#) document.

4.2. The award of contracts between the University and bodies that are wholly or partly owned by another university or by a contracting authority, including bodies that are partly owned by the University, shall be subject to rules relating to the parent university or public body.

5. Economic operators

5.1. Bidders will be required to describe their legal status.

5.2. The University may accept bids from consortia of bidders, provided that the legal status and structure of the consortia and nature of involvement of each partner are defined and are, in the opinion of the Procurement Team, sufficient to deliver the contract being procured.

5.3. Consortia of bidders will be given the opportunity to demonstrate how they intend to meet the legal and financial capability to deliver the contract as either a single lead bidder or a consortium of bidders (at the University's discretion). The University's decision on whether legal and financial capability has been demonstrated will be final.

5.4. The University may require minimal standards of financial standing and financial capacity.

5.5. The University will use risk-based assessments of financial standing, and may require professional assessments of a bidder's accounts.

5.6. The University may restrict contracts to bidders for whom that contract would not amount to more than 50% of turnover.

6. Choice of procedures

6.1. The Options Appraisal will define the procurement procedure to be undertaken, following guidance maintained by the Procurement Team. The procedure taken may include:

- a. regulated or unregulated procedures
- b. open procedures, competitive flexible procedures, or requests for quotations; and
- c. a single tender action (or 'direct award').

6.2. Where a procurement is being conducted within the University's own rules (i.e. the Procurement Legislation does not apply), the only grounds for a potential single tender action (or 'direct award') will be:

- a. Where a direct award is necessary based on an absence of competition for technical reasons.
- b. Where the procurement concerns the creation or acquisition of a unique work of art or artistic performance.
- c. Where the protection of exclusive rights, including intellectual property rights, prevents a competitive process being undertaken.
- d. For additional deliveries by the original supplier which are intended either as a partial replacement of supplies of installations or as the extension of existing supplies or installations where a change of supplier would oblige the University to acquire supplies having different technical characteristics which

would result in incompatibility or disproportionate technical difficulties in operation and maintenance.

- e. Where no tenders, no suitable tenders, no requests to participate or no suitable requests to participate have been submitted in response to an open procedure, a competitive flexible procedure, or a request for quotations.
- f. Insofar as is strictly necessary for reasons of extreme urgency brought about by events which are unforeseeable to the University, or which are otherwise unavoidable.

6.3. Whether a procurement is subject to the Procurement Legislation or not, proposals for a single tender action (or 'direct award'):

- a. Which are based on an absence of competition for technical reasons must clearly describe the evidence on which this conclusion is based, and how this evidence has been ascertained.
- b. Which are based on the requirement being an artistic performance must clearly describe how the requirement meets this definition.
- c. Which are based on any reason other than absence of competition for technical reasons or artistic performance require the specific approval of the Director of Procurement, which may be delegated and which approval may have conditions attached.

7. Irregular and unacceptable tenders

7.1. The University may reject a tender which:

- a. Does not comply with the procedures or requirements set out in any procurement documentation, including for example the requirements set out in an invitation to tender.
- b. Is received late.
- c. Shows evidence of collusion or corruption.

- d. Is deemed (in the University's absolute discretion) to be abnormally low, in accordance with the remainder of this [Irregular and Unacceptable Tenders](#) section.

7.2. The University may reject any tender that it believes proposes abnormally low bid pricing. In such cases, the Procurement Team will investigate the circumstances of the bid price and the feasibility of the contract being delivered successfully in these circumstances.

7.3. Where a contract's total value (calculated in accordance with [Irregular and Unacceptable Tenders](#)) is below £1m, the decision on whether to deem a tender as abnormally low must be taken by a decision maker no less senior than a Senior Procurement Manager. Where a contract's value is above £1m, the decision on whether to deem a tender as abnormally low must be taken by a decision maker no less senior than the Director of Procurement. This decision should be recorded in the Authority to Award.

7.4. The University's decision on whether to deem a tender abnormally low will be final.

8. Frameworks

8.1. The University may consider the use of framework agreements, dynamic markets and dynamic purchasing systems (together, "**Frameworks**"), including those promoted by the University itself, those promoted by bodies linked to the higher education sector (such as the Southern Universities Purchasing Consortium), those promoted by bodies linked to the wider public sector (such as Crown Commercial Service and bodies associated with sectors such as local government, health, utilities, defence or others), and those promoted by commercial operators.

8.2. Any decision on the University creating or participating in a new Framework must be taken by a decision maker no less senior than a Senior Procurement Manager.

8.3. The University will ascertain the method by which a Framework was procured and the rules of participation, in order to inform a decision on whether to utilise it.

8.4. The University will follow the rules and conditions governing use of any Framework when calling off contracts under it.

9. Pre-market engagement and tender preparation

9.1. Early market engagement can be a sensible step to ensure that the University's requirements can be met by likely bidders, provided that this early engagement does not distort competition. Early Market Engagement is normally informal and is used to help the University to assess market options, thus the Procurement Team should where possible attempt to utilise this step to strengthen Option Appraisal considerations.

9.2. The Procurement Team should ensure that organisations or individuals involved in preliminary market engagement or tender preparation do not gain an unfair advantage in any subsequent competition.

10. Technical specifications

10.1. Technical specifications will be used to define the functional elements of tender requirements.

10.2. Where possible, the University will promote market-neutral performance specifications that do not presuppose how a requirement will be met, or which supply chain partners will supply key components, devices or support services.

11. Variant bids

11.1. Bidders shall not be permitted to submit variant bids without prior authorisation by the University or unless expressly invited to do so as part of a competition.

11.2. The University reserves the right to accept variant bids, provided that they meet stated minimum requirements.

12. Lots

12.1. Structuring tenders and contracts into lots can be effective in maximising the ability of smaller suppliers to bid for work, and can be useful in reflecting natural divisions in requirements (e.g. by geographic focus or technical specialism).

12.2. The University will consider the benefits of lots when determining the approach to contract structure.

13. Time limits

- 13.1. Time limits should be proportionate, and should seek to maximise the ability of bidders to produce detailed responses.
- 13.2. The standard time limit for response to an invitation to tender will normally be 20 working days.
- 13.3. The University may choose shorter timescales where this is required by new, external constraints. The University should not seek to impose shorter timescales for internal reasons or foreseeable constraints.

14. Electronic availability of documents

- 14.1. The University will make tender documents available electronically, via our e-tendering portal, or other portal approved by the Director of Procurement.
- 14.2. Bidders should submit bids electronically, via the University's e-tendering portal.

15. Informing bidders

- 15.1. The University will inform bidders of the results of tender evaluations in good time via the e-tendering portal.
- 15.2. The University reserves the right, at its sole discretion, to provide tender feedback to bidders for the purposes of improving the quality of tender submissions as soon as reasonably practicable.

16. Most advantageous tender

- 16.1. The University will award contracts to the bidder which submits the most advantageous tender, based on the evaluation criteria outlined in the invitation to tender.
- 16.2. Evaluation criteria will establish the ratio between pricing and quality elements, and will outline which criteria are mandatory where applicable.

17. Exclusion of tenders

- 17.1. The University follows good commercial practice. This includes following advice and guidance from a Minister of the Crown on excluding suppliers, including use of the national Debarment List.
- 17.2. The University will exclude bidders which are found to have been convicted of a serious crime, and / or any offences under any of the following (and equivalents in other jurisdictions) which have taken place within the last three years from the date on which the opportunity was first advertised by the University:
- a. Corporate manslaughter or corporate homicide
 - b. Terrorist offences
 - c. Fraud
 - d. Theft
 - e. Bribery
 - f. Money laundering
 - g. Failure to pay the National Minimum Wage
 - h. Offences under the Gangmaster (Licencing) Act 2024
 - i. Human trafficking
 - j. Modern Slavery
 - k. Serious Organised Crime
 - l. Failure to comply with a labour market enforcement order
 - m. Offence at common law of cheating the public revenue
 - n. Tax evasion
 - o. Cartel offences under the Enterprise Act 2002
- 17.3. The University will exclude bidders if:
- a. This is necessary for national security reasons

- b. Required by a decision of the Competition and Markets Authority.

17.4. The University may exclude bidders for the following discretionary exclusion ground (in each case where occurring within the last three years from the date on which the opportunity was first advertised by the University):

- a. Labour market misconduct, including orders made against the bidder for offences including Modern Slavery, forced labour, human trafficking, or immigration enforcement.
- b. Environmental misconduct, including any convictions for significant harm to the environment, whether within the UK or other jurisdictions.
- c. Insolvency or bankruptcy.
- d. Infringement of competition laws.
- e. Professional misconduct.
- f. Breach of contract and poor performance, including any information published by a Minister of the Crown regarding contract performance.
- g. Acting improperly in a procurement.

18.Reducing the number of bidders

18.1. In a multi-stage tender process, the University may reduce the number of bidders in subsequent stages provided that the minimum number of remaining bidders is at least three.

18.2. If fewer than three proceedable bidders apply to or remain in the tender following the initial stage, the tender may continue, but the number of remaining bidders will not be reduced. Exemptions to this process will require approval of the Director of Procurement.

19.Sub-contractors

19.1. Without prejudice to the bidder's liability to deliver the contract, the University may require bidders to specify sub-contractors that they are expecting to work on the contract, to the extent that this is reasonably known by the bidder at the time.

- 19.2. The University may apply the tests of mandatory and discretionary exclusion to sub-contractors, and may require bidders to remove sub-contractors that fail any of these tests.

20. Modifications

- 20.1. The University may agree a modification to a contract if:
- a. The modification is explicitly provided for the initial contract or ITT.
 - b. Additional works, services or supplies by the original contractor have become necessary and where a change of contractor cannot be made for economic or technical reasons (such as interchangeability or interoperability of existing equipment, services or installations) and the modification does not increase the value of the contract by more than 50%, unless this has been specifically approved by the Director of Procurement.
 - c. Or where all of the following requirements are met:
 - The need for modification was not reasonably foreseeable at the time of the award of the contract.
 - The modification does not alter the economic balance of the contract.
 - The modification does not alter the overall nature of the contract; and
 - The modification does not increase the value of the contract by more than 50%, unless this has been specifically approved by the Director of Procurement.
- 20.2. A new procurement procedure in accordance with this Procurement Policy shall be required for modifications of the provisions of a contract or framework agreement during its term other than:
- a. those provided for in section 20.1 of [Modifications](#); or
 - b. where specifically approved by the Director of Procurement by exception.

21. Reporting and documentation

- 21.1. The University will document an Options Appraisal as a commissioning document for any procurement which is subject to this Procurement Policy and meets the threshold for the Procurement Team to be involved.
- 21.2. The University will document an Authority to Award for any procurement which is subject to this Procurement Policy and meets the threshold for the Procurement Team to be involved, except where the authorisation to award is documented within the Options Appraisal (e.g. where the Options Appraisal proposes the use of a single tender action (or 'direct award')).
- 21.3. The audit trail of decision-making during the procurement process, contained in the Options Appraisal and Authority to Award (as well as records of any modifications to a contract during its term), will be retained for the period identified in the University's [Document Retention Scheme](#).

Appendix 2: Conflicts of Interest Code of Conduct

1. Code of Conduct

- 1.1. High standards of probity are essential to good administration. All individuals involved in any part of the procurement of goods, services and works are in scope of this policy and are expected to act, and to be perceived to act, transparently and with integrity.
- 1.2. We must not allow any conflict to affect the proper conduct of a tender process or the University's reputation for conducting procurement processes.
- 1.3. Potential conflicts of interest are likely to occur from time to time as the University intends to operate at the forefront of science and technology. Conflicts of interest pose a concern if they are not disclosed in the right way and / or not addressed appropriately.
- 1.4. Not all conflicts can be mitigated or resolved. However, conflicts of interest must be properly declared such that, in a procurement context, possible mitigation can be assessed and appropriate action taken.
- 1.5. High standards of probity require that:
 - a. All staff who are involved in making procurement decisions act in a fair and equitable manner, without being unduly influenced by bias or personal prejudice (which might arise from personal, social, financial or business interests, or ethical considerations), taking into account only the subject matter of the contract and the University's aims and objectives.
 - b. No University staff or other stakeholders should take an active part in any discussions, negotiations, evaluations or transactions involving the University in which they, or anyone with whom they have a family or other personal association, has an existing or potential financial or other beneficial interest.

- c. No conflicted individual should be in a position to make a decision in which they, or anyone with whom they have a family or other personal association, have an existing or potential financial or other beneficial interest.

Appendix 3: Conflicts of Interest Procedure

1. Procedure

- 1.1. If a member of staff believes there is an actual or potential conflict of interest in any procurement undertaken, this should be immediately be notified in writing to the Director of Procurement or a Senior Procurement Manager.
- 1.2. Stakeholders with a known, potential or perceived conflict of interest are required to complete a Conflict of Interest Declaration, available from the Procurement Team.
- 1.3. The Procurement Team will maintain a register of Procurement-related conflicts of interest, and identify mitigating actions. Where an actual or potential conflict of interest exists for certain individuals, the Procurement Team will ensure that an alternative, unconflicted decision maker is identified and engaged. This may require escalating this requirement to the relevant Head of School or Division who will be expected to identify an alternative decision maker.
- 1.4. Guidance on the University's conflict of interest policy is available at [Conflict of Interest Regulations | University Secretary's Office | University of Bristol](#), which states that conflicts of interest that are not managed may jeopardise the University's mission, and provides guidance on how to identify, prevent and mitigate real, potential or perceived conflicts of interest.
- 1.5. The [Anti-Bribery policy](#) states that it is the policy of the University to conduct business in an honest way, without the use of corrupt practices to acts of bribery to obtain an unfair advantage.