



The University of Kent

Procurement Regulations

Version 4.1 : approved February 2025 by Frank Richardson.
Updated with go live date for platforms. 8 September 2025.

1. OVERVIEW

- 1.1 Purpose
- 1.2 Applications and Exceptions
- 1.3 The Procurement Act 2024
- 1.4 Other Applicable Regulations and Policies
- 1.5 Procurement Requirements and Financial Thresholds
- 1.6 Instructing Suppliers Without Authority
- 1.7 Procurement Requisitioning
- 1.8 Request For Work
- 1.9 Single Source Waivers (Direct Awards)
- 1.10 Purchasing Cards
- 1.11 Separation of Duties
- 1.12 Authorisation of Commitments
- 1.13 Conflict of Interests

2. PROCUREMENT PROCESS

- 2.1 How To Procure
- 2.2 Non-Compliance with the Process
- 2.3 Procurement Process and Limits
- 2.4 Contractual and Legal Matters

3. CONTRACTS AND ORDERS

- 3.1 Order Placement
- 3.2 Contracts and Agreements

4. ADDITIONAL INFORMATION

- 4.1 Contract Management
- 4.2 University Procurement Reporting
- 4.3 Further Information

1. OVERVIEW

1.1 Purpose

The purpose of this document is to make clear the University of Kent Regulations on Procurement to assist staff in carrying out procurement activity on behalf of The University of Kent.

These Regulations align to the objectives of the University's wider plans, aims, and strategies, including those relating to ethical behaviour, environmental sustainability, equal treatment, non-discriminatory activity, and transparency.

These Procurement Regulations replace all previous versions.

The objective of these regulations include:

- To introduce standard procedures
- To implement necessary controls
- To optimise value for money
- To rationalise the supplier base
- To increase efficiencies within the procurement processes
- To optimise the University's spend
- To ensure compliance with our legal requirements

Updated and latest versions of Procurement documents will always be found on the relevant part of the University of Kent website for staff at:

<https://livekentac.sharepoint.com/sites/Finance/SitePages/Procurement.aspx>

You must always check for the latest versions of the documents as they may be amended, replaced and deleted at any time.

If there is any doubt about any part of the process, please contact Procurement who can advise you via: procurement@kent.ac.uk

All Procurement within the University must be carried out in accordance with legal requirements, Financial Regulations, these Regulations and any other internal governance documentation including, but not limited to, the Financial Authority Limits. This includes funding obtained through research grants or other sources, although it is also necessary to ensure research project expenditure also meets any requirements of the research body.

Full information about Internal Governance is published at:

<https://livekentac.sharepoint.com/sites/governance>

1.2 Application and Exceptions

The Procurement Regulations apply to all activity that involves obtaining goods, services,

works, utilities, or deliverables to the University. This covers all procurement activity ranging from stationery and food to the construction of new buildings and refurbishment activity, with the exception of contracts for:

- (i) The acquisition or disposal of any interest in land as long as the value of the land disposed of is not less than can reasonably be obtained;
- (ii) The lending or borrowing of money; and
- (iii) Employment contracts where the individual is a direct employee of the University.

1.3 The Procurement Act 2023

As a public body (which receives 50% or more of funding from what is regarded as a public sector funding channel) the University is required to comply with The Procurement Act 2023 which supersedes all other regulations and instruments. A full list of legislation is on the Procurement website. These will be referred to as PA (2023).

The tendering timescales are lengthy and a requirement that is likely to be near the PA (2023) tender threshold should be notified to Procurement at least six months in advance of the requirement, though the tendering periods may be shortened in certain circumstances. Requirements over this value need to be advertised on the Find-A-Tender Service (also called FTS).

For the purposes of the University, the Procurement Thresholds set in the regulations are as follows:

| Supply, Services & Design Contracts (1,2) | Works Contracts (2) | Light Touch Regime Services (2,3) |
|--|----------------------------|--|
| Value: £214,904 | £5,372,609 | £663,540 |

All values shown are inclusive of VAT.

Notes

1. With the exception of the categories covered by the “Light Touch” regime specified in **3**
2. With the exception of subsidised contracts; in these cases the University is subsidising directly more than 50% of the total estimated value which is more than the threshold.
3. The “Light Touch” regime applies to the following categories of activity :
 - Health, social, educational, hotels, restaurant, postal, legal, healthcare and culture services and activities.
 - Subsidised services contracts.
 - Research and development services.

To reduce risk of potential breaches of the legislation and potential 'project creep', the University recommends that any procurements follow a compliant Procurement route, either through advertisement in FTS, or using an legally compliant EU- or PA (2023)-awarded Framework:

- £200,000 for Goods and Services (inc. VAT)
- £5,000,000 for Works (inc. VAT)

For further information on PA (2023) tendering, please refer to the Procurement Team. When your requirement is near, or above, the above limits, please contact The Procurement Team before you continue with any activity.

The thresholds are calculated by an estimation of the likely value of the requirement over the length of the contract (or, in the case of a contract with extension options, a maximum of three years + two 12 month extension periods). You are not allowed to split, divide, or otherwise engineer the requirement to avoid these rules. It is recommended to revisit the requirement at the end of the contract, as what was the best value offer at the time of the contract award five years ago may not now be the best value solution available.

The UK Procurement Threshold is revised every two years and this document will be updated to reflect these revisions. The next threshold date is due to be 01 January 2026.

Some exceptions, dependent upon the nature of the work, are detailed below:

Exceptions

Please also note that subject to the Procurement Act 2023 enshrined in UK law, Treaties, Acts of Parliament and UK Regulations, the following contracts *may* be placed by direct negotiation with suppliers subject to the written approval of the Assistant Director Of Finance (Procurement). See Section 1.8 :

- i) For supplies, materials, services or works which are available only as proprietary or Patented articles, services or works where there is no reasonably satisfactory alternative available; and / or where repairs, maintenance, or supply of parts to existing proprietary or patented articles or works, including machinery, plant and software/hardware as necessary; and / or
- ii) For works of art, museum specimens, historical documents or artefacts, and artistic cultural performances; and / or
- iii) A variation or extension to an existing Contract as permitted within the contract; and / or
- iv) For reasons of extreme urgency such as an emergency or unforeseeable event outside of the control of the University.

Section iv) is subject to specific legislation and can only occur when approved by the Assistant Director of Finance (Procurement) or their delegate in exceptional circumstances.

1.4 Other Applicable Regulations and Policies

These regulations should be read in conjunction with the following documents:

- **Procurement Strategy** - the over-reaching strategy that defines the direction of travel and activities for the Procurement Team, which is reviewed annually and located at ; <https://livekentac.sharepoint.com/sites/Finance/SitePages/Procurement.aspx> and
- **Procurement Manual** - a guide to carrying out procurement within the university, including specific guidance and documentation which will be published on the Procurement Team website at:
<https://livekentac.sharepoint.com/sites/Finance/SitePages/Procurement.aspx>
- **Financial Regulations** - The overarching regulations that govern financial matters are set by the Finance and Resources Committee of Council published at: <https://livekentac.sharepoint.com/sites/Finance/SitePages/Finance-Documents.aspx#finance-regulations-guidelines>
- **Financial Authority Limits** - The Finance and Resources Committee of Council sets maximum monetary amounts for transactions up to which designated members of staff may authorise, also published at:
<https://livekentac.sharepoint.com/sites/Finance/SitePages/Finance-Documents.aspx>
- **The University Strategy:** the over-reaching University strategy published at:
<https://www.kent.ac.uk/strategy/>
- **Conflict of Interest / Declaration of Interests** : All staff must follow this and it is published at :
<https://media.www.kent.ac.uk/se/30696/PolicyonDeclarationofInterestForCouncil.pdf>
- **External Legislation and Regulation** – Links are located at:
- <https://livekentac.sharepoint.com/sites/Finance/SitePages/procurement-documents.aspx#legislation>

The main relevant instrument which controls all Procurement activity in the Public Sector is The Procurement Act 2023.

1.5 Procurement Requirements and Financial Thresholds

Every contract or official order for works shall be made with the purpose of implementing the University's policies, and furthering achievement of University objectives, and must be made in accordance with the Procurement Strategy and processes.

The Procurement Department has established contracts for the provisions of goods, services, and activity in most areas and where this exists these arrangements should be utilized. If these contracts are not used, there should be a valid and justifiable reason for non-compliance.

When proposing to procure, or making arrangements to do so, where the Estimated Value is likely to exceed the UK Threshold for Procurement (detailed at 1.3) then consideration must be given as to how the Contract might improve the economic, social

and environmental wellbeing of the local area, as required by the Public Services (Social Value) Act 2012 and any amendments.

There must also be due and appropriate consideration or the risks proportionate to the value and the nature of the contract, including those relating to the Modern Slavery Act and Equality Act.

Where relevant to the contract, it is the responsibility of University employees to seek advice from the appropriate Professional Services support function, including Procurement, Estates and Property, IS, and / or other similar functions.

All goods and services must be purchased through approved suppliers where a contract exists. Not doing so exposes the University to risk. Please check with Procurement if you are unsure if there is a contract. If you have UBW (formerly Agresso) access you can also find all the University suppliers, sorted by category, using the search function.

Information on Contracted Suppliers is provided at :
<https://livekentac.sharepoint.com/sites/Finance/SitePages/Contracted-suppliers.aspx>

If the University has an in-house service provision this offering must be assessed for suitability, including any Catering / Hospitality services, Design & Print Unit, Conference Services, Overnight Accommodation, Mobile Telephony, and similar provisions.

There are generally no restrictions on the amount of spend with a contracted supplier as a full and compliant tender process will have already been carried out – as long as the contract is not used to obtain items, goods, or services clearly not covered by the contract and the contract is not used as a way of avoiding the Financial Regulations.

Expenditure recorded in the Finance System is reviewed by the Procurement Team. If the use of the contract or other method of expenditure is flagged as potentially inappropriate – that is, for example, for items not contracted, or for spend far bigger than the contracted agreement – this will be investigated and may be reported to the Director Of Finance.

Financial Thresholds (overleaf):

If no contract exists, the following thresholds will apply. All figures inc. VAT :

| GOODS AND SERVICES | |
|---|--|
| This includes consultants or other services involved in construction projects. | |
| VALUE | APPROACH |
| <£4,999 | No restrictions, though competition may add value; purchasing cards should be considered for low value, one off purchases below £1,500 |
| £5,000- £29,999 | A minimum of three written quotes are required. (inc. Email). However, if three written quotes cannot be sourced, a justification must be provided. ¹ |
| £30,000 - £199,999 | A mini competition (RFQ) on Mercell, the e-tendering system. ^{1,2} Procurement should be advised. |
| >£200,000 | Full CDP tender process via Mercell. ^{1,2,3} Procurement to lead. |
| CONSTRUCTION/BUILDING/PROPERTY WORKS | |
| Works does <u>not</u> include consultants or other goods / services. | |
| <£9,999 | No restrictions, though competition may add value; purchasing cards should be considered for low value, one off purchases. |
| £10,000 - £29,999 | Evidence of one written quote from supplier (inc. Email). Contract let on our T's & C's. |
| £30,000 - £199,999 | A mini competition (RFQ) with at least three suppliers on Mercell. ¹ |
| £200,000 - £4,999,999 | Formal tender with a detailed specification via Mercell. ^{1,2} Contracts on JCT or appropriate alternative. |
| £5,000,000+ | Full EU tender process via Mercell. ^{1,2,3} Contract let on JCT, or appropriate alternative. |

NOTES

¹ As per The Procurement Act 2023, there is a Legal requirement for all requirements of £30,000 and over should be published on Central Digital Platform (CDP). This can be met by selecting the option to do so in Mercell.

² Mercell is the host of the University of Kent e-tendering system. It enables Request For Quotations (RFQ's) or high value formal tenders - in compliance with the regulations - to be carried out online, and assists with a range of activities from the sourcing of suppliers through to the award of a project. Access can be granted by Procurement, or a competition can be run by them on behalf of schools and departments. You can log into Mercell at : <https://uk.eu-supply.com/login.asp?B=UK>

³ The PA (2023) tender process is covered in more detail in the Procurement Manual. PA (2023) figures are for spend over the total potential length of the contract (which is normally 3 years up to a maximum of 5 years, in most instances – but always will be the actual and envisaged contract length at time of award). It is not permitted to divide, alter, change, or otherwise distort the requirement to get under these thresholds to avoid the PA (2023) process. If there is an applicable framework (that is, a pre-awarded contract compliant with the relevant Procurement Regulations at the time of award), it is possible to use this however you must confirm this route of action with The Procurement Team. The threshold figures for PA (2023) procurements also relate to us as an organisation as the aggregated total spend across the University; Procurement will monitor compliance in this area.

Note for all activity: Where The University is using a pre-existing or awarded Framework (such as those established by SUPC, TUCO, LUPC, Crown Commercial Service, or similar), you may be able to proceed with a single quotation in writing, as long as the guidelines of the Framework have been followed (i.e. a direct award or a mini-competition where applicable). Procurement can advise on the appropriate route to follow.

1.6 Instructing Suppliers Without Authority

You must **not** instruct a supplier to act without an approved Purchase Order unless in exceptional emergency circumstances. You must obtain approval from Procurement before instructing in all other circumstances.

Exceptional emergency circumstances are where the requirement could not have been reasonably foreseen, where failure to act immediately would cause immense financial or health impacts, or risk to life. These events would normally be approved if they occurred outside of normal working hours. Being “busy” is not sufficient justification for these purposes. Instructing suppliers and committing expenditure without having the authority to do so will be investigated and may be escalated.

The University has implemented a “No Purchase Order, No Pay” initiative which supports this. Suppliers cannot be paid without a valid Purchase Order.

1.7 Procurement Requisitioning

Procurement requisitioning **must** be carried out using UBW Purchase Order Processing (where available), Purchasing Cards or online ordering through approved suppliers websites, or other methods as approved by Procurement unless emergency circumstances apply

If you think you may need a Purchasing Card for smaller value requirements please contact The Procurement Team. More details on the Purchasing Cards are in Section 1.9.

You may, where the expenditure is very small (i.e. less than £100) and you do not have access to UBW, or a Purchasing Card, purchase directly using your own funds and submit an expense claim. However this is subject to the relevant regulations including the University Expenses Policy. Such expenditure is at employee risk.

You **must not** exceed the delegated authority provided to you in the Financial Authority Limits.

At time of publication, all orders over £5,000 will need approval from Procurement and Finance, prior to the commitment of funds on behalf of the University; this is done automatically through the UBW Purchase Order Processing system.

All expenditure on projects funded by research and innovation funding will also require the prior approval of the R&I Team for all commitments of £250 or over.

1.8 Request For Work

If you require Procurement support, you should complete a [Procurement Request For Work](#). It ensures the University does not breach the regulations and is not subject to remedies for non-compliance. This acts as a checkpoint, providing guidance, advice, and the means of approval for high value purchases in the University. The purpose of the request is to demonstrate an appropriate set of checks and balances before the University commits to major expenditure or projects. Please see below :

| GOODS AND SERVICES | |
|--|--|
| This includes consultants or other services involved in construction projects. | |
| VALUE | APPROACH |
| £30,000 + | In all cases where the value is likely to exceed £30,000 and there is no contract or agreement in place, you will have to submit a Request For Work that details the reason for the expenditure, the intended benefits, and the proposed approach (i.e. competition, use of a Framework, etc.) |
| CONSTRUCTION/BUILDING/PROPERTY WORKS | |
| Works does not include consultants or other services involved in construction projects. | |
| £30,000 + | In all cases where the value is likely to exceed £30,000 and there is no contract or agreement in place, you will have to submit a Request For Work that details the reason for the expenditure, the intended benefits, and the proposed approach (i.e. competition, use of a Framework, etc.) |

Failure to gain approval from Procurement before commencing significant Procurement Activity, and not working with Procurement on activities involving major expenditure, will be reported to the Director of Finance.

1.9 Single Source Waivers (Direct Awards)

The Procurement Act 2023 allows for a direct award in special cases. At the University of Kent, this is called the Single Supplier Waiver (SSW) process. This process would be used for any procurement exercise where the total contract spend exceeds £30,000 and where it is not possible to complete the appropriate tender process for one or more of the following reasons only:

- The contract involves the production of a prototype or other novel goods or services for testing the suitability, or researching the viability, of producing or supplying the goods or services at scale and developing them for that purpose or for other research, experiment, study, or development (Prototypes and Development).
- The goods, services or works can only be supplied by a particular supplier i.e. where competition is absent for technical reasons or due to the supplier having intellectual property or other exclusive rights and only a particular supplier can supply the goods, services, or works and there is no reasonable alternative. It can also be used where the contract is for the creation or acquisition of a unique work of art or artistic performance. (Single Suppliers)
- The contract concerns good purchased on the commodity market (Commodities)

- Awarding a contract to a particular supplier will ensure particularly advantageous terms due to the supplier undergoing insolvency proceedings (Advantageous terms on insolvency)
- The requirement for goods, services, or works is strictly necessary for reasons of extreme urgency and cannot be procured via a competitive tendering procedure and has been brought about by circumstances unforeseeable by and unattributable to the contracting authority (Urgency).
- Where pre-market engagement has occurred and it can be reasonably deduced that the competitive tendering process would not be economically advantageous, and only where Procurement approve this route.

The SSW process should only be considered where one or more of the reasons listed above are met and should first consider whether it is possible to undertake an alternative competitive tendering procedure or value for money exercise. This SSW process should only be used where a competitive tendering procedure has been explored and is not appropriate or cannot be used, even under the reduced timescales permitted in a state of urgency or any other of the listed exemptions. This process must not be used to avoid the administrative inconvenience of a tender or request for quote process.

This form should be submitted in circumstances where you are unable to comply with the Procurement Regulations and before making any commitment to any supplier.

Once this form is completed by the Requestor it must be authorised in accordance with the University's Financial Authority Limits. Only when all necessary approvals and comments have been received should the document (with all comments, supporting information, and evidence) be forwarded for authorisation by Procurement.

Procurement will then review and advise. Approval will be granted only by the Assistant Director Of Finance (Procurement) or, in their absence, a delegated representative.

SSWs are not automatically approved and may be declined dependent upon the circumstances. Please contact the Procurement Department if you have any queries.

Every Direct Award is required to be published as a Transparency Notice on the CDP, and work should standstill for 8 days so a challenge could be raised where the process may have been used incorrectly. In effect, every SSW is published and can be challenged.

The Non-Compliance Single Supplier Waiver Form is located on the Procurement website at:

<https://livekentac.sharepoint.com/sites/Finance/SitePages/Single-Supplier-Waivers.aspx>

1.10 Purchasing Cards

The University recognises the benefits of using Purchasing Cards as an alternative means of paying for goods and services. The advantages include reduced paperwork, reduced time in administration and reduced costs. Purchasing Cards are particularly suitable for low value, high volume goods and services, one-off purchases and for where no other payment mechanisms may be available.

A large number of cards are in operation across the University and these can be approved and issued through Procurement by the Head of a School or Department.

The internal staff costs of raising Purchase Orders and paying invoices can be considerable, and where the purchase is relatively low value (i.e. under £1,500 inc. VAT) you may want to use a Purchasing Card if possible.

For further information, you should refer to, and be familiar with, the Purchasing Card Procedures, which can be found in the Procurement Guide and also on the Intranet at:

<https://livekentac.sharepoint.com/sites/Finance/Procurement/Forms/AllItems.aspx?id=%2Fsites%2FFinance%2FProcurement%2FProcurement%20policy%20documents%2FUoK%20MasterCard%20Purchasing%20Card%20Users%20Procedures%20Final%20Approved%20Version%20May%202020%20Updated%20Version%2Epdf&parent=%2Fsites%2FFinance%2FProcurement%2FProcurement%20policy%20documents>

All Purchasing Cards are for business use only and must not be utilised for personal or non-business expenditure in any circumstances whatsoever. Usage analysis and reporting occurs and potentially fraudulent activity will be reviewed and may be reported to the Director of Finance.

1.11 Separation of Duties

There are a number of roles involved in the purchase of goods and services for the University that commits it to pay a third party, and these are listed as below. For these purposes, a “Commitment” means: *“a contractual obligation for the University to pay a supplier that is created by an approved purchase order including those made electronically or online and those using a procurement card or created by any other purchasing commitment”*.

The financial limits up to which individual employees can make a Commitment are those set by the Finance and Resources Committee of Council, which apply to all financial transactions carried out on behalf of the University. These limits are contained in the Financial Authority Limits document as published on the Central Secretariat website:

<https://livekentac.sharepoint.com/sites/Finance/SitePages/Finance-Documents.aspx>

In order to enforce best practice and reduce risk, the order approver, and payment approver, will not be the same person.

1.12 Authorisation Of Commitments

Authorisation for staff to make Commitments must be approved in advance by completing the

Financial Authority Approval Form available on the Finance for Staff website, which will need signed approval by the Head of School or Department. Authorisation for a Head of School or Department may be approved by Director of Finance.

The University has implemented a “No Purchase Order, No Pay” initiative.

There are normally three roles within the purchasing process that require authority from a Head of School or Department.

Purchaser

A Responsible Officer* holding delegated authority to create an order (commitment) that requires further approval



Purchase Authoriser

A Responsible Officer holding delegated authority to approve the purchase order and thus make the commitment



Payment/Invoice Authoriser

A Responsible Officer holding delegated authority to approve the payment of a purchase - this will occur after the order is placed and the goods or services are delivered

A Responsible Officer cannot be the Payment/Invoice Authoriser for any payment for which they have approved the Commitment (i.e. acted as the Purchase Authoriser) as a Separation Of Duties must occur. This reduces risk of inappropriate payments.

Goods, Services or Works **should not** be commenced until an approved Purchase Order has been generated. Engaging Suppliers without an approved Purchase Order is a breach of the University of Kent Financial Regulations. Invoices may not be paid unless a valid Purchase Order applies. Instances of repeated breaches, and repeated failure to follow these regulations will be reported to the Director of Finance. The University has implemented a “No Purchase Order, No Pay” initiative.

*as defined in the Financial Regulations.

1.13 Conflict Of Interest

If you are an employee of the University, you will need to declare any potential conflict of interest. If you have additional employment outside the University, it may not be possible to be a supplier to the University. If you have a close friend or relative (such as spouse or child) working at, or has shares in, a potential supplier, this should be declared. All procurement decisions must be fair and transparent (and be seen to be), and also must follow Nolan's Seven Principles of Public Life, which is published at :

<https://www.gov.uk/government/publications/the-7-principles-of-public-life>

The PA (2023) allows a supplier to be removed from the competitive process, should a potential or actual conflict of interest exist, where this conflict may result in a supplier being at an unfair advantage or disadvantage. The existence of any conflict of interest (potential or otherwise) must be declared at the Request For Work stage.

1.14 European Operations

Following the UK's departure from the European Union on 31st January 2020, operations in Europe must follow the European Procurement Regulations. Details are at : https://single-market-economy.ec.europa.eu/single-market/public-procurement_en . Europe specific Terms & Conditions governed by relevant European Law are available from Procurement. Should the European site close, this element will be removed.

2 PROCUREMENT PROCESS

2.1 How To Procure

The first step is to consider whether the goods, works or services you require are necessary and if you have the budget for these.

All goods and services must be purchased through approved suppliers where a contract exists. Not doing so exposes the University to risk. Please check with Procurement if you are unsure if there is a contract. If you have UBW access you can also find all the University suppliers, sorted by category, using the search function.

If goods, works or services are required, in the first instance, goods, services or works must be sourced from the University's in-house department. In-house services are supplied by the following:

| SERVICES | DIRECTORATE |
|--|---------------------|
| Building repairs, maintenance, refurbishment, structural work etc. | Estates |
| Hosting and arranging events, conferences, seminars, sports and gym services | Commercial Services |
| Accommodation | |
| Food, beverages | |
| IT Hardware, Software | IS |
| Telephones, mobile phones | |
| Marketing and Communications | Marketing |
| Financial Services | Finance |
| Education and Student Experience | Education |

If the required goods, works or services cannot be provided internally, can the requirement be met by an existing contract? If there is no existing contract, then can we source the requirement from existing suppliers? You should seek to use an existing supplier or contractor as this is the most cost effective and efficient method as assessment credit accounts are already in place with the University.

Sourcing from a new supplier should only occur when there is no satisfactory current supplier. In the event an existing supplier cannot be used, approval to use a new supplier is required **before** you engage their services. Please complete a New Supplier Form, the latest version of which is published at:

<https://livekentac.sharepoint.com/sites/Finance/SitePages/procuring-goods-and-services.aspx>

Please note Procurement may decline to approve if an alternative existing source is available.

2.2 Non-Compliance with the Process

Failure to comply with the Procurement Process and seek advice from the Procurement Department will be reported to the Director of Finance and subsequently to the Executive Group.

2.3 Procurement Processes and Limits

| GOODS AND SERVICES: This includes consultants or other services involved in construction projects. | | | | | |
|--|----------|--|---|----------------------------------|--|
| CONTRACT VALUE | | PROCESS | AWARD PROCEDURE REQUIREMENT | CONTRACT OPPORTUNITY PUBLICATION | DOCUMENTATION |
| FROM | TO | | | | |
| £0 | £4,999 | Quotation | Minimum of one quotation to be obtained | None | Quotation may be by e-mail. Employee to record details. Purchasing Cards should be considered. Purchasing Card usage is monitored. |
| £5,000 | £9,999 | Quotation | Minimum of one quotation to be obtained | None | Quotation may be by e-mail. Employee to attach quotation to Purchase Order. |
| £10,000 | £29,999 | Quotation | Minimum of three written quotations to be obtained | None | Using the appropriate template from the following: Simple RFQ – Goods Simple RFQ – Services Simple RFQ - Consultancy |
| £ 30,000 | £199,999 | Procurement Plan for above £30,000 ; Request for Quote | Request for Quote Award Report to be approved by Procurement | CDP University Website | Using the appropriate template from the following: <ul style="list-style-type: none"> • RFQ – Goods • RFQ – Services • RFQ – Consultancy + Award Report |
| £30,000 and above | | Checkpoint | Procurement Plan | Not Applicable | Procurement Plan approval required prior to any procurement activity. |
| above £200,000 | | CDP Tender (or equivalent such as FTS / Mercell) | Full tender process | Mercell University Website | Refer to Procurement Department. Tendering to be undertaken by the Procurement Department. |

| CONSTRUCTION/BUILDING/PROPERTY WORKS: Works does <u>NOT</u> include consultants or other goods and/or services involved in construction projects.. | | | | | |
|--|------------|-------------------------|---|---|--|
| CONTRACT VALUE | | PROCESS | AWARD PROCEDURE BASED ON | CONTRACT OPPORTUNITY PUBLICATION | DOCUMENTATION |
| FROM | TO | | | | |
| £0 | £9,999 | Quotation | Minimum of one quotation to be obtained | None | Quotation may be by e-mail. Employee to record details. Purchasing Cards should be considered. Purchasing Card usage is monitored. |
| £10,000 | £29,999 | Quotation | Minimum of one quotation. Appropriate T&C's to apply | None | Quotation may be by e-mail. Employee to attach quotation to Purchase Order |
| £30,000 | £199,999 | Quotation | Minimum of three quotations. Quotation Award Report. | E-Tendering System CDP University Website | Using the appropriate template from the following: RFQ – Works RFQ – Services RFQ - Consultancy |
| £200,000 | £4,999,999 | Tender | Request For Work required for above £1m. Minimum of three tenders. Tender Award Report. | E-Tendering System CDP University Website | Using the appropriate template from the following: ITT – Works ITT – Services ITT - Consultancy |
| £30,000 and above | | Checkpoint | Request For Work | Not Applicable | Procurement Plan approval required prior to any procurement activity. |
| above £5,000,000 | | CDP Tender (or Mercell) | Full tender process. Tender Award Report | Mercell University Website | Refer to Procurement Department. Tendering to be undertaken by the Procurement Department. |

2.4 Contractual and Legal Matters

It is important we have a set of terms and conditions to manage and govern the transactions particularly when things do not quite go to plan.

The standard group terms and conditions are issued with the purchase order. Suppliers/Contractors terms and conditions should not be accepted. If the supplier will not accept our Terms & Conditions, the Suppliers proposed Terms & Conditions should be sent to Procurement for review and approval / negotiation. Do **not** accept Suppliers Terms & Conditions without this step and gaining this approval, as you are making a contractual commitment.

For more complex procurements a specific contract may be required. The contents are to be agreed and signed between University and the suppliers or contractors to be appointed. Procurement should be involved in any such case.

Agreed performance/service levels must be documented together with the consequences of non-performance.

You should not agree to pay any supplier in advance of the work being performed without Procurement advice, unless it is an artistic performance where a pre-performance payment is industry standard.

3 CONTRACTS AND ORDERS

3.1 Order Placement

The University has implemented a “No Purchase Order, No Pay” initiative.

Purchase Orders must be raised using UBW Purchase Order Processing clearly indicating the full scope of the requirements, the agreed pricing and delivery date with evidence of compliance of procedures attached in the form of quotations and approved award reports.

Goods, Services or Works **should not** commence until an approved Purchase Order has been generated. Engaging Suppliers without an approved Purchase Order is a breach of the University of Kent Financial Regulations. Invoices resulting from unauthorised instructions may not be paid unless a valid Purchase Order applies. Instances of repeated breaches, and repeated failure to follow these regulations will be reported to the Director of Finance.

Contracts and Agreements

Contracts and agreements which are committing the University to high value, complex or to long term commitments must be signed in accordance with the Financial Authority Limits.

Fully completed and signed contracts and agreements for requirements over £30,000 in

value must be sent to the Procurement Department for recording on the University's Contract Register. The Contracts Register is a legal requirement as per the PA (2023) and you must inform the team of contracts or your plans to award one over £30,000 in value as soon as possible.

4 ADDITIONAL INFORMATION

4.1 Contract Management

Once a contract is in place, this requires managing to ensure both parties adhere to the terms and deliver on commitments. As a general rule you should:

- Manage contracts in a professional manner
- Conduct regular review meetings with a set agenda
- Record minutes of meetings
- Keep records of all correspondence
- Set timescales and deadlines
- Monitor performance using KPIs
- Deal with issues promptly and in a fair and reasonable manner
- If problems persist, inform Procurement Team

It is a requirement under the PA (2023) that contracts over set values will have KPI's (Key Performance Indicators) and SLA's (Service Level Agreements) to be reported on no less than twice annually, and where performance is unsatisfactory, for remedial actions to take place. You should liaise with Procurement to ensure that any unsatisfactory performance is managed.

Contracts over a value of £5m must be published (in commercially redacted form) for public inspection. This is enshrined in the PA (2023). All Procurement Activity is also subject to Freedom Of Information requests and thus, any information in a contract may become public if requested.

4.2 University Procurement Reporting

The Assistant Director of Finance (Procurement) is responsible for submitting a termly and annual Value For Money Report to the Executive Group in relation to operation of these regulations, including recording cashable and non-cashable savings and value-added activity from the team, supply chain updates, fraud prevention and detection activity, regulatory and legislation compliance, internal breaches of the regulations and other matters relevant procurement and spend activities within the University.

4.3 Further Information

Further information and guidance on purchasing is available from the following sources:

- The University Procurement Strategy gives details on policies to be followed in procurement. The latest version is always here :

<https://www.kent.ac.uk/finance/responsible-procurement>

- The University of Kent Procurement Manual, available on the Procurement website pages, gives guidance for buyers covering different aspects of purchases, including guidance every area of Procurement activity which is published at: <https://livekentac.sharepoint.com/sites/Finance/SitePages/Procurement.aspx> ; and
- Guidance on gifting, and hospitality, from suppliers is available from : <https://www.kent.ac.uk/estates/files/contractors/anti-bribery-and-corruption.pdf>

Updated guidance and information, and links to the above referred documents, are always held at:

<https://livekentac.sharepoint.com/sites/Finance/SitePages/Procurement.aspx>

If you have any queries or require any extra information, please contact Procurement Team.