

1
4. Quality of housing
5. Repairs, maintenance and improvements
13. Value for Money
Public Contracts(Scotland)Regulations 2012
Procurement Reform (Scotland) Act 2014
Public Contracts (Scotland) Regulations 2015
Procurement (Scotland) Regulations 2016
Not required
Mainetreem eleves inserted
Mainstream clause inserted
Not required
Not required
Standard FOI clauses have been created and will
be included in all tender documentation and sub-
sequent contracts
Standard GDPR clauses have been created and
will be included in all tender documentation and
subsequent contracts.
Yes
163
Financial Regulations .
Asset Management Strategy
Procurement Strategy
Community Regeneration Strategy
BHA Group Business Plan
Risk Register
Freedom of Information
GDPR
Scheme of Delegated Authority
31st October 2019
October 2021
(Or earlier due to changes in the law,
,
regulation, best practice or requirements of the Association.)

Director of Asset Management

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Policy on:

Responsible Officer:

Version History

PROCUREMENT

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1. INTRODUCTION

Procurement is a high value activity for the Barrhead Housing Group (BHG) that has a critical impact on the performance and success of the association. The Group spends a considerable sum of money per annum on revenue goods, works and services and capital investment. Our aim is to obtain best value for money through our procurement processes and therefore it is paramount to the Group that we have a procurement policy that ensures we achieve this aim.

The purpose of the Procurement Policy is to provide clear guidance on the way in which the Group shall undertake and manage the procurement of services, supplies and works from external providers.

2. POLICY AIM

This policy outlines the principals which will be used by the association in the procurement of Works, Goods and Supplies. This policy will cover all external procurement across the Barrhead Housing Group. As a body governed by public law the association must comply with:

- 1. EU Directive 2004/18/EC which has been incorporated into Scottish Law by The Public Contracts (Scotland) Regulations 2012
- 2. Public Contracts (Scotland) Regulations 2015
- 3. Procurement (Scotland) Regulations 2016
- 4. EC treaty obligations
- 5. European Court of Justice and national case law

This policy is intended to ensure that procurement exercises completed by Barrhead Housing Group will meet current legislation and best practice including adopting the principles of equal opportunity, nondiscrimination, transparency and proportionality.

This policy will operate procedures and systems that enable probity, quality and value for money through the procurement process to be demonstrated.

Barrhead Housing Group will monitor and review procurement arrangements to ensure continuing high standards and value for money are achieved.

Barrhead Housing Group will work in collaboration with other organisations where this would enhance the procurement process; provide value for money and the benefits received by the partners. Most notably, BHG will work with and access the following frameworks:

- I-FLAIR Framework
- Scotland Excel Frameworks
- NHS Framework
- Scottish Procurement Alliance (SPA)

Barrhead Housing Group's procurement activities will not be restricted to the use of these frameworks solely, BHA will assess the most effective and suitable avenue for each individual procurement and ensure that all procurement is compliant and meets the requirements of BHG's financial regulations.

- The aim of this policy is to ensure that Barrhead Housing Group remain compliant in procurement and continually aim to review, improve and introduce good practice in relation to our procurement activities.
- Undertake all procurement activity in a professional manner to meet the requirements of all relevant legislation and best practice.
- Ensure probity, cost effectiveness, quality and value for money in relation to individual projects and their role in delivering the Association's wider objectives.

- Establish and maintain a buyer profile on the Public Contracts Scotland Website (PSCW) established under the requirements of the Procurement Reform (Scotland) Act 2014; at the time of publication this is www.publiccontractsscotland.gov.uk (PCS).
- Prepare and report to the Board an annual procurement report (following the end of a financial year) that details the procurement activity undertaken in the previous financial year
- Actively consider, where appropriate, options for joint working with similar organisations through establishing or joining framework agreements or other purchasing solutions.
- Maintain a register of contracts that will be reported to the Board
- Prepare clear and concise briefs for projects that identify the specific project requirements, the identified procurement route and assessment criteria considering both the quality, cost and time elements.
- Tender and advertise all regulated activity in accordance with the matrix set out in Appendix 2 and the Financial Regulations Policy.
- Provide training for all staff involved in the procurement process.
- Ensure that the procurement policies and procedures are based on relevant information, knowledge of good practice and, where appropriate, benchmarking activities with other organisations and service providers.
- Following the conclusion of the procurement process Barrhead Housing Group will require a contract or service level agreement to be in place prior to any payment being made for works, supplies or services.
- Barrhead Housing Group will issue standard agreements to contractors in relation to GDPR and FOI for acceptance and signing before any contract is commenced. Failure to complete and return this information will result in the contract not being awarded.
- There are a number of key drivers influencing and shaping procurement for organisations like Barrhead Housing Group. Primarily these drivers are legislative but due consideration must also be given to Barrhead Housing Group's need to remain viable and provide services which are affordable and cost effective to our customers.
- To meet these standards Barrhead Housing Group will ensure that all staff with purchasing responsibilities understand their responsibility in applying the key principles of public procurement. This is in the delivery of value for money, appropriate quality and service to meet business needs and appropriate governance.
- Value for money must also be assessed in relation to organisational policies regarding sustainability/corporate responsibility which recognises that lowest price is not the way to award contracts or purchase services. Contracts will be awarded on the basis of the most economically advantageous tender. (MEAT)

3. POLICY DEFINITION

Procurement is defined as the process through which Barrhead Housing Group obtain supplies, services or works in relation to the management of our housing stock and associated support services.

The following definitions apply:

• Works contracts relate to those where the outcome is a building or civil engineering project to fulfil an economic or technical function.

- **Supply contracts** are those that result in the purchase, lease, rental or hire purchase of products.
- Service contracts are those not covered by works or supply.

Barrhead Housing Group is a 'contracting authority' for the purposes of the public procurement regulations. The Regulations specify legal procedures which Barrhead Housing Group must follow when buying supplies services and works over certain estimated contract values.

4. PROCUREMENT PRINCIPLES

In developing and operating this policy statement Barrhead Housing Group will have regard for and adherence to the following principles:

Procurement: We have a systematic and accountable approach to finding the most efficient cost effective way on ensuring the quality of assets and services we need.

Equal Opportunities: We embrace diversity, promote equal opportunities for all and eliminate unlawful discrimination in all areas of our work.

Sustainability: We ensure that our policies and actions are underpinned by our commitment to sustainability. We consider the impact we can have in improving the economic, social and environmental circumstances of the wider community.

- Consider the benefits to society, the economy and the environment as well as whole life costs in determining best value for money
- Identify approved partners who run training and work experience schemes within the area
- Monitored to access effectiveness of the scheme

Accountable: All processes will be:

- Transparent : clear and open
- Fair: all suppliers will be treated fairly, equally and honestly

Effectiveness: All processes will be:

- Appropriate: to the scale of the purchase
- Responsive: meet the need at the right time and at best value
- Informed: decisions will be based on accurate information

Efficient: All processes will be:

- Cost Effective: subject to competition unless within parameters established in the Financial Regulations
- Consistent :processes will be handled in a consistent manner in accordance with procedures

Legal: all processes will be

- Compliant: in accordance with EU rules and Scots Law
- Ethical: managed with integrity and with effective controls to ensure probity

5. RESPONSIBILITY AND POLICY IMPLEMENTATION

With the adoption of this policy, Barrhead Housing Group will ensure compliance with the following

5.1 The Board retains ultimate control of all decisions relating to procurement of goods, services and works. Under the terms of the Financial Regulations this responsibility has been delegated to the Senior Management Team under their scheme of delegation or to staff under their delegated authority within the Financial Regulations.

- 5.2 Full details of delegated powers are contained within the remits of the Board of Management, the Senior Management Team and the Financial Scheme of Delegation
- 5.3 Responsibility for implementation of this policy lies with the Director of Asset Management
- 5.4 Current legislative and statutory regulations
- 5.5 Codes of practice, in particular those produced by Scottish Government, the Scottish procurement Directorate and other professional bodies.
- 5.6 Accounting standards, in particular compliance with external and internal audit requirements.
- 5.7 Association Rules, Management Committee remits and Standing Orders.
- 5.8 SHR and SFHA guidance, e.g. Regulatory Standards, Code of Conduct for Board Members/staff.
- 5.9 Barrhead Housing Group will ensure that any committee member or member of staff who has an interest in the item being procured takes no part in the procurement process and that any such interest is declared and recorded in the required manner.
- 5.10 The Management Committee will ensure that committee Members participate in the procurement process at the appropriate stages in accordance with the tendering procedures as outlined within this policy and the Financial Regulations.

6. AUTHORITY TO INCUR EXPENDITURE

- All procurement activities will be conducted in accordance with the Association's Financial Regulations policy and in line with the financial limits detailed within Section 7 of this policy.
- 6.2 The Management Committee will review these financial limits regularly to ensure that they remain appropriate for the effective governance of the Association.
- 6.3 As per the Financial Regulations, staff members have delegated authority and should be cross-referenced with the current Financial Scheme of Delegation in place at the time of the procurement activity.

7. FINANCIAL LIMITS FOR PROCUREMENT

- 7.1 The Senior Management team, in conjunction with the Chief Executive, will consider when tendering for services to the Barrhead Housing Group is appropriate or when receipt of quotations or estimates is acceptable (*Ref: Financial Regulations*).
- 7.2 In view of 7.1 and 6.3 above, the following cost guidelines will be adhered to. In the event of any incident where these guidelines are not adhered to, the reasons for this will be reported on at the next Board meeting.
 - (a) Expenditure between £1,000 and £4,999.00 will require at least 2 quotes unless the works are tendered through an established Barrhead Housing Group contract with a schedule of rates that was established as part of the procurement process.
 - (b) Expenditure between £5,000 and £9,999.00 will require at least 2 quotes, even if there is an established contract with a schedule of rates.
 - (c) Expenditure between £10,000 and £50,000 will require at least 3 quotes using the Quick Quote process on the Public Contracts Scotland (PCS) portal

- (d) Expenditure over £50,000 for goods and services will be categorised as a Regulated contract and will be advertised and tendered through the Public Contracts Scotland portal. Approval of the successful tender by the Governing Board is still required even though the Board should have already approved the budget and/or the framework contractors for that particular contract.
- (e) Major capital (works) expenditure likely to exceed the Regulated contract threshold and will be tendered via the Public Contracts Scotland and depending on the value threshold for goods, services or works, this will determine if it's a Regulated or an OJEU procurement activity. Approval of the successful tender by the governing Board is still required even though the Board should have already approved the budget and/or the framework contractors for that particular contract.
- (f) The threshold for non-regulated works is at £2,000,000. However, BHG would utilise the "open" procedure and publicise our intention to seek offers as in line with a regulated procurement route using the Public Contracts Scotland portal.
- (g) Should the value of a contract be near the maximum in any range then, unless there is confidence in the market and prices, the tender will be undertaken in accordance with the requirements of the next process up.
- (h) Upper thresholds defined in the Procurement Reform (Scotland) Bill and may be amended by the Scottish Parliament from time to time. Where the thresholds are amended by the Scottish Parliament the published thresholds will apply to this policy.
- (i) Upper thresholds defined in the Public Contracts (Scotland) Bill and may be amended by the Scottish Parliament from time to time based on thresholds set by the European Union. Where the thresholds are amended by the EU, the published thresholds will apply to this policy.
- (j) The Public Contracts Website refers to the site established and maintained by the Scottish Ministers; currently this is www.publiccontractsscotland.gov.uk.
- (k) OJEU; Official Journal of the European Union
- 7.3 As members of the iFLAIR Framework, all mini-completion call offs shall be processed via the Quick Quote functionality contained in the PCS portal. Call offs via the Scottish procurement Alliance (SPA) will be administered by SPA staff. All framework contracts will be reported to the board in line with the limits set out in 7.2 and in the financial regulations for the Barrhead Housing Group.

8 SERVICE AGREEMENTS AND CONTRACTS

- 8.1 We will procure certain services through contracts or service agreements for periods of one year or longer, in accordance with current procedures. Examples are contracts for the provision of cyclical maintenance, Gas servicing and repairs and maintenance services, lift maintenance, landscape maintenance, or agreements for the servicing of office equipment, fire and security alarms or IT systems.
- 8.2 Where these agreements fall within the spending limits for staff they will have delegated authority to enter into agreement, otherwise these services should be procured as per the detailed procedures in 7.2.
- 8.3 The results and awards of procurement activities for "Regulated" service contracts or agreements will be reported to the Governing Board at the next meeting and in the annual procurement report.

9.0 OBTAINING PRICES, QUOTATIONS AND TENDERS

9.1 The summary table in Appendix 2 sets out the different methods of obtaining prices, quotations and tenders that must be followed when procuring goods, services and works. These methods are based on the value of the procurement and show the acceptable procurement method and the necessary level of approval.

9.2 Prices

For items under the current cost limit which do not require quotations or tenders, the authorised member of staff will, where appropriate and/or possible, seek to check at least two alternative prices either in writing, price list, or by requesting details by e-mail.

9.3 Quotations

Quotations may be requested electronically using Quick Quote on the PCS portal. The authorised member of staff will ensure that sufficient detail in the scope and specification is provided to those invited to quote to enable accurate, comparable quotes to be received.

9.4 Tenders

Following the full development of all the appropriate tender documentation, suppliers will be invited to tender. Where the value of the contract deems the contract to be a "regulated" contract, these will be incorporated into the annual Procurement report in April each year.

All goods, services and works will be procured on a quality and price basis. Where this is the case, the appropriate criteria and ratios will be agreed in advance of the procurement being advertised on the PCS portal.

9.5 Negotiation

Where it is proposed that contracts are procured through negotiation, there must be clear justification for doing so and the decision to enter into contracts based on negotiation must be approved at the appropriate level of authority.

10. REGISTERS

10.1 Contract Register

Barrhead Housing Group will keep and maintain a contract register as required by the 2014 Act. The contract register will hold the following details:

- The date of the award
- The name of the contractor
- The subject matter
- The estimated value
- The start date
- The end date provided for in the contract(disregarding any option to extend the contract)or, where there is no date specified a description of when the contract will end
- The duration of any period for which the contract can be extended
- Entries will only be deleted after the contract has expired or terminated
- The Contract Register will be available on the Barrhead Housing Group website as part of the Publication Scheme
- Barrhead Housing Group reserves the right to withhold an entry or part of an entry in line with the guidance in the 2014 Act

- All contracts awarded in excess of £5k will be added to the Barrhead Housing Group contract register.
- Notifications will be sent to all unsuccessful contractors who tendered for contracts and feedback will be offered by Barrhead Housing Group.

10.2 Tender Register

Tender Register to be updated at the time of opening to include: Tender opening time and date, names of individuals present and position, details of tender being open, term of tender, details of tenders submitted including the value and name of supplier and signed acceptance by those present that the tender opening process was conducted in line with procedures.

11.0 SPECIALIST SUPPLIERS/ CONTRACTORS/ CONSULTANTS

11.1 Where there is only one specialist supplier or contractor for a particular item or service, we will seek to negotiate the most advantageous price and terms prior to placing an order or signing a service level agreement. Details of the discussions held and the reasons for the final recommendation will be fully recorded and reported to the Board.

11.2 Appointment of Consultants

Staff may make consultants appointments subject to financial limits.

Appointment of consultants can be made on the basis of:

- (a) Previous performance on behalf of BHG.
- (b) Recommendation by another approved consultant, contractor or Housing Association.
- (c) Allocating workload according to experience, size of practice, value of contract and workload commitments. It may for instance, be inappropriate to award a large contract to a one person firm whereas for a smaller contract this may be wholly appropriate.

12. OTHER METHODS OF PROCUREMENT

- 12.1 We will continually review our methods of procurement in order to achieve best value for money, meet our duty of sustainable procurement, and to comply with current statutory regulations, Scottish Housing Regulator guidance and 'good practice'.
- 12.2 We will seek to develop mutually beneficial customer/supplier relationships, particularly with contractors, small to medium enterprises (SME's), consultants and suppliers with which we wish to develop medium to long-term arrangements for the benefit of the Barrhead Housing Group.

13. SUPPLY CHAIN

- 13.1 The Procurement (Scotland) Regulations 2016 sets out a variety of situations in which the Association must exclude a potential member of its supply chain.
- 13.2 These situations include: conviction of an offence; bribery; corruption or theft; failure to comply with payment of tax or another statutory duty; misconduct or collusion to distort competition; lack of a necessary license; non membership of a regulatory body required to perform the contract; insolvency or appointment of a receiver; or, deficient performance in another regulated procurement.
- 13.3 In addition to the situations listed in 12.2, further guidance can be published by the Scottish

Government, and this may include additional assessment of potential suppliers relating to recruitment, remuneration (including payment of a living wage) and other terms and conditions, as well as Trades Union recognition.

- 13.4 There is also a duty on Barrhead Housing Group to pay its contractors in a timeous manner.
- 13.5 As a living wage accredited organisation Barrhead Housing Group will seek confirmation from suppliers as part of the procurement process that they are compliant with the meet the living wage requirements for all employees involved in delivering services / works.

14. MONITORING AND REVIEWING

- 14.1 The Chief Executive is responsible for ensuring that all committee Members and members of staff involved in the procurement process follow this policy, and the supporting procedures. This will also ensure that staff carrying out procurement activities has received adequate training and possess the expertise to carry out procurement activities.
- 14.2 The Chief Executive is responsible for ensuring that staff implements this policy, and the relevant procedures, when procuring goods, services and works.
- 14.3 The Chief Executive will ensure that the Board reviews this policy regularly and that the appendices are reviewed as necessary and revised if required.
- 14.4 The Association should monitor the value of its contracts within a given financial year, to ensure it complies with the Scottish Government Procurement Regulations.
- 14.5 **Procurement Strategy** Required when a contracting authority has an anticipated annual spend of more than £5m on contracts regulated by the Act (regulated contracts); it is obliged to prepare and publish a procurement strategy. Barrhead Housing Group do not meet this threshold and therefore are not required to create a procurement strategy. Barrhead Housing Group are committed to delivering best practice in procurement with a purpose to deliver value for money and comply with legislation.
- 14.6 Procurement Report As part of the strategy Barrhead Housing Group must produce an annual report on its regulated procurement activities at the end of each financial year that includes: completed regulated procurements; adherence to the procurement strategy; community benefits achieved; involvement of supported businesses; and expected procurements in the next two years.
- 14.7 This policy should be reviewed every year following the annual procurement report, or when there is any change in legislation affecting how we procure goods and services.

15. Community Benefits

Barrhead Housing Group are committed to implementing a sustainable procurement process as defined below:

'A process whereby organisations meet their needs for goods, services, works and utilities in a way that achieves value for money on a whole life basis and generates benefits not only to the organisation but also to society, the economy and the environment'

Barrhead Housing Group are committed to considering the use of Community Benefit Requirements as defined in the Procurement Reform (Scotland) Act 2014 when commissioning any procurement contracts.

The current legislative threshold for community benefits is £4million. However, by including community benefit clauses as standard in the tender documents Barrhead Housing Group will high-

light our desire to incorporate community benefits in our procurement activities. Community benefits shall be relative to the value and length of contact period, and will be negotiated with successful suppliers

16. PROCUREMENT CHALLENGES / COMPLAINTS

Barrhead Housing Group is committed to delivering a fair and transparent procurement process to secure services and works for the Group.

Barrhead Housing Group will develop a process for dealing with procurement challenges or requests for information and include this within the procurement procedures being developed for November 2019.

Should any Contractor or Service Provider feel the need to make a complaint against an individual or the organisation, the complaints policy and procedure will be implemented.

In keeping records about complaints and in allowing access to our files we will comply with the legislative requirements relating to GDPR.

Should any Contractor or Service Provider have a complaint that is unresolved to their satisfaction they can refer the complaint to The Scottish Public Service Ombudsman, the details of which can be found in the complaints policy

17. EQUALITY AND DIVERSITY

Barrhead Housing Group is committed to providing fair and equal treatment for all. BHG operates an Equality and Diversity Policy which informs all aspects of our business and ensures we adhere to the Equality Act 2010. Barrhead Housing Group will upon request make this policy available.

18. FREEDOM OF INFORMATION

Freedom Of Information requests

In November 2019 all Registered Social Landlords will be subject to the terms of the Freedom of Information (Scotland) Act 2002. This legislation requires public bodies to respond to requests for recorded information, and only to withhold information where there are legitimate grounds to do so. In relation to procurement and tendering activity, Barrhead Housing Association will require to comply with the terms of this legislation, in the event that a request is made to release recorded information.

In responding to such requests, we will be take account of both the legislation but also the potential commercial sensitivity associated with tendering documentation. Specifically, we will consider whether the Commercial Interests and the Economy exemption (Section 33) applies, but in doing so we also need to undertake a "public interest" test which requires that the information must be disclosed unless the public interest in withholding it outweighs the public interest in disclosing the information

Generally, our approach will be that we will proactively publicise information that is likely to be of public interest, and will release information requested unless there are legitimate grounds to withhold.

19. GDPR

The GDPR came into force on 25 May 2018. This is a regulation of the European Union and has direct effect in the United Kingdom as it presently stands. The GDPR will continue to apply after as the UK government has confirmed it will be incorporated as part of domestic legislation. The GDPR overhauled many areas of data protection laws and replaced the Data Protection Act 1998.

Barrhead Housing Group processes personal data and as a result is required to comply with the terms of the GDPR as we are considered to be "Data Controllers". As Data Controllers who enter into contractual relationships with third parties who we might ask to process personal data on our behalf, the GDPR defines those third-party processors as "Data Processors" who are also are required to comply with the GDPR.

In all our procurement activity, we will ensure that we comply with the terms of GDPR. This includes our responsibilities as Data Controllers, but also by ensuring that all contractors who process personal data on our behalf (i.e. as data processors) comply with the GDPR legislation. Where contractors act in this capacity, we will expect contractors to sign a GDPR processors addendum before we award any work under the terms of any contract awarded.

GUIDANCE ON APPROACH TO PROCUREMENT

1. Contract Thresholds and Duration.

Contract thresholds (the estimated lifetime value of a contract excluding value added tax), under the Procurement Reform (Scotland) Act 2014, are as follows:

	Type of Contract			
Threshold	Goods and Services	Works		
Non Regulated Procurement (Route 1)	£0 - £49,999	£0 - £1,999,999		
Regulated Procurement	>= £50,000	>= £2,000,000		

Scottish Government guidance stipulates Framework Agreements must not exceed 4 years. Barrhead Housing Group aims to enter longer term contracts, therefore, the length of contracts and subsequent extensions shall be agreed with the management committee.

2. Procurement Approach

Guidance on the approach to be taken during procurement activities is outlined below:

2.1 Non Regulated Procurement

- i. Before proceeding please;
 - a. ensure that you have authority to procure goods and/or services on the Barrhead Housing Group's behalf
 - b. consider if the purchase is essential
 - c. consider if alternative options been considered
 - d. consider if there is a robust and approved business case / budget.
- ii. Prepare a brief as a minimum, identify the key requirements, outputs, consider how the responses will be objectively evaluated and include estimated timescales for the requirement. Also consider how the contract will be managed in terms of quality, service, cost and delivery at this point.
- iii. Identify suppliers seek the appropriate number of quotations / estimates (in line with the Barrhead Housing Group's Procurement policy, Appendix 1) who have the experience and expertise to meet your requirements. In order to receive the appropriate number of quotes back from suppliers, the Association may wish to approach several suppliers in case not all respond and to generate real competition.

The Barrhead Housing Group may also select suppliers by searching the register of suppliers on the Public Contracts Scotland (PCS) website which provides a 'Quick Quote' system to seek quotations from suppliers registered on the website.

Whilst the association will default to procuring via the PCS portal, there may be some circumstances the Barrhead Housing Group may not wish to use PCS due to the low value of the contract. Suppliers may be identified via the other means for instance previous delivery of works/supplies or by advertising locally.

iv. Prepare quotation documents – your completed brief and the Barrhead Housing Group's terms and conditions of contract for the purchase of goods and/or services should be attached. Any other information that may affect a supplier's quote for instance Preconstruction health and safety file, should also be included in the tender documents.

Suppliers may ask questions about the tender documents and as a result you may wish to issue further information or clarification not contained within the original document. If you have issued any clarifications, you should communicate all questions, answers and clarifications in writing to all suppliers via the PCS portal.

v. Receive and evaluate responses – this is usually processed via the PCS portal as it provides an audit trail, however, If PCS is not used, then quotation responses may be received in hard copy or by email.

At the same time, unsuccessful suppliers should be notified. A supplier is entitled to ask for the reasons why their quotation was unsuccessful. It is essential all feedback is documented for audit purposes and based on the objective criteria used to evaluate the quotation.

- vi. Retention of documentation all documents relating to the quotation process must be retained to ensure a full audit trail in line with the GDPR guidelines set out by the Barrhead Housing Group.
- vii. Contract management the supplier's performance should be managed throughout the lifetime of the contract and the Barrhead Housing Group should ensure that the goods / services are delivered in line with the performance or service level expectations identified in the original quotation.

2.2 Regulated Procurement

Regulated procurement can involve utilising various procurement routes in arriving at the Most economic Advantageous tender (MEAT), routes include open and restricted procedures as well as competitive dialogue amongst others. For detailed guidance and best practice on the approach for regulated procurement, refer and follow the Scottish Government's Procurement Journey –

https://www.procurementjournev.scot/.

It should be noted that all regulated procurements must be advertised on the Public Contracts Scotland website –

http://www.publiccontractsscotland.gov.uk

Appendix 2			METHODS OF OBTAINING PRICES, QUOTATIONS, AND TENDERS
LIFETIME VALUE (EXCL VAT) – 3 YEAR MAX TERM	PROCUREMENT METHODS	APPROVAL	AFFECTED PROCUREMENT ACTIVITY
Up to 10,000	Minimum of 2 estimates	As per Financial Regulations	 General Office Expenditure Consultants Training Promotion Participation Audits One-off works
£10,000 - £50,000	Quick Quote minimum of 3 suppliers invited to quote	As per Financial Regulations	 Minor repairs and service contracts Ad Hoc / one off Component Replacements Accounting/auditing Services Major Void Works Cyclical Contracts ICT Services
£50,000 - £250,000	Regulated contract, minimum of 5 suppliers invited to tender – Open or restricted procedure	As per Financial Regulations	 Repairs and maintenance contracts Major Component Replacement Telephone infrastructure Legal services ICT services
£250,000 - £2,000,000	Regulated contract, mini- mum of 5 suppliers invited to tender – Open or re- stricted procedure	As per Financial Regulations	 Repairs and maintenance contracts Major Component Replacement
Over £2,000,000	OEJU procurement routes	As per Financial Regulations	 Repairs and maintenance contracts Major Component Replacement New build Private finance



APPENDIX 3

1. REVIEW OF CONTRACTORS' PERFORMANCE

- 1.2 Following the completion of a contract, the management committee or sub committees shall be presented with a report identifying the strengths, weaknesses and any lessons learned. This is not solely focused on the contractor's performance but also Barrhead Housing Group's contract management throughout the life of the contract. A quarterly report shall also go to the management committee and sub committees (where applicable) on progress throughout the duration of each contract.
- 1.3 Review of the contractors' performance should also include but not limited to:
 - Costs
 - Value for money
 - Ability to respond to target timescales
 - Emergency cover
 - Standard of work
 - Tenant satisfaction
 - Track record of solving problems
 - Record of submission of reports and accounts timeously
 - Knowledge, skills and availability of tradesmen and key staff
 - Helpfulness and knowledge of office based staff
 - Current workload.



APPENDIX 4

TENDER OPENING PROCEDURE

Each Director shall be responsible for ensuring that the following procedure is followed:

- (1) Tenders over £10k should always be submitted using the PCS portal office.
- (2) The portal provides a full audit trail and requires members of staff to release the documents to view. Documents cannot be released via the portal until the date and time for submissions has expired. In some circumstances consultants will be authorised to carry out the tender opening event, however, all documents including audit trail must be sent to the Barrhead Housing Group for recording.
- (3) 2 Directors or 1 Director & CEO and Grade 8 or above staff member to be present as a witness at the opening of any tenders in excess of £5,000.00 up to £24,999.00
- (4) 2 Directors or 1 Director & CEO and an Office Bearer present with a Grade 8 or above staff member to be present as a witness at the opening of any tenders in excess of £25,000.00.
- (5) Any Regulated contracts should be recorded for the annual procurement report on achieving best value for money, meet our duty for sustainable procurement, and to comply with current statutory regulations, Scottish Housing Regulator guidance and 'good practice'
- (6) Tender Register to be updated at the time of opening to include: Tender opening time and date, names of individuals present and position, details of tender being open, term of tender, details of tenders submitted including the value and name of supplier and signed acceptance by those present that the tender opening process was conducted in line with procedures.
- (7) Evaluation of tenders to be completed and reported to the Board as required thereafter in line with Financial Regulations.



APPENDIX 5

COMMUNITY BENEFITS

COMMUNITY BENEFITS SCHEDULE

Community benefits clauses are contractual requirements which deliver social, economic and environmental benefits, in addition to the primary objectives of the contract. The Framework Agreement will be utilised to deliver the social, economic and environmental aspirations and objectives of the Contracting Bodies through promoting apprenticeships, graduates and new entrants employment, training opportunities and community capacity building activities.

The I-Flair Members take their social responsibility very seriously and are committed to delivering Community Benefits through this Framework Agreement. The Contractor and their supply chain will be required to support the I-Flair Member's aspirations and requirements relating to skills development, training and employment initiatives and other opportunities which connect to social economic and environmental considerations.

BHA requires the Contractor to deliver a proportional number of "community benefits points" relative to the contract values of individual Call-Off Contracts awarded through the Framework Agreement, subject to the thresholds outlined in the table below;

Contract Value	Community Benefit Requirements
Not exceeding £99,999	Contractors will not be required to deliver Community Benefits on individual Call-Off Contracts awarded by BHA where the value of a Call-Off Contract does not exceed £99,999.00.
£100,000 - £499,999	Contractors will be required to deliver Community Benefits and indicate, at the point of call-off, how such benefits will achieve the required points listed within the Community Benefits Points Matrix (contained later in this Schedule Part), based on the Weighting Table (also contained later in this Schedule Part), such requirement being relative to the value of the Call-Off Contract, accrued from categories within the Weighting Table. The Contractor may accrue the required points from Categories A-H*, up to the maximum number of points available within each Category.
Exceeding £500,000	The Contractor will be required to deliver Community Benefits and indicate, at the point of call-off, how such benefits will achieve the required points listed within the Community Benefits Points Matrix contained later in this Schedule Part), based on the Weighting Table (also contained later in this Schedule Part), such requirement being relative to the value of the Call-Off Contract, accrued from categories within the Weighting Table. Successful Tenderers may accrue the required points from Categories A-H*, up to the maximum number of points available within each Category. However, the Contractor must provide a minimum of twenty community benefit points from Category A.

^{*}Category H applies only to Landscape Maintenance



Monitoring

Delivery of the Community Benefits and achieving the requisite community benefits points will be a mandatory requirement placed on the Contractors that are awarded individual Call-Off Contracts through this Framework Agreement.

Monitoring the delivery of Community Benefits will form a core part of a Call-Off Contract and the Contractor will be required to complete the 'Community Benefit's Call-off Contract Pro-forma' (contained later in this Schedule Part):

- when accepting the Order Form (contained in Schedule Part 4 of the Framework Agreement);updating every twelve weeks during the construction phase;
- updating upon practical completion of the construction phase;
- upon issue of the final certificate; and
- on the annual date of commencement for a measured term contract.

Delivery of Community Benefits by the Contractor will be monitored by BHA on entering into a Call-off Contract with the Contractor.

BHA, will regularly, and at least quarterly, monitor, collate and report on the Community Benefits delivered. Contractors must promptly respond to an information request from BHA within 10 working days, where the request relates to information reasonably required by BHA to comply with internal reporting requirements and also the reporting requirements of the Scottish Government.

Publicity of Community Benefit's Delivered by successful Tenderers

BHA reserves the right to publicise the Community Benefits delivered by successful Tenderers.

Kev Performance Indicator's

Delivery of the Community Benefits and achieving the requisite community benefits points will also be monitored by BHA through their Key Performance Indicator's (KPI's) relative to the individual Call-Off Contract award. The Contractor will be responsible for delivering Community Benefits requirements and, under the terms of the KPI reporting process, the Contractor may be subject to penalty if they fail to deliver the minimum Community Benefits and fail to achieve the requisite community benefits points required by an individual Call-Off Contract awarded by BHA.

Secondary Schools and Colleges

BHA will facilitate opportunities for the Contractor to work with Secondary Schools and Colleges located in East Renfrewshire. (details contained later on in this Schedule Part). However, Contractors are not mandatorily required to work with any particular Secondary School or College stated within this Schedule Part, and BHA do not imply, by naming of a School or College, that the particular School or College referred to within this document are suitable for engagement.

Employment and Community Capacity Building Agencies

BHA will also facilitate opportunities for Contractors to work with employment and community capacity building agencies located in East Renfrewshire and Scotland including Voluntary Action East Renfrewshire, WorkER, Re-Useit and Young Enterprise Scotland (details contained later on in this Schedule Part). However, Contractors are not mandatorily required to work with any particular organisation stated within this Schedule Part, BHA do not imply, by naming of an organisation, that the particular organisations referred to within this document are suitable for engagement.



Definitions

Apprentice – is a person registered as an apprentice with an industry recognised body.

Apprenticeship to qualified skill tradesperson transition - offering a full time permanent job to an apprentice that has recently completed their apprenticeship.

Business mentoring – supporting an organisation, to assist their development, by sharing your organisation's experience, knowledge and skills throughout the duration of the call-off contract, providing the organisation with regular support, and 'one-to-one' and 'group' mentoring, and obtaining written formal acknowledgement of the delivered benefit(s) from the organisation receiving the benefit(s).

CITB - Construction Industry Training Board.

Community capacity building – an activity, support or training that helps give members of a community the knowledge, skills, confidence and experience to affect change and improve their local area.

Community project – a project set up and managed by members of a local community and run for the benefit of that community. Such projects will require either to be in receipt of support from a recognised community capacity building agency or to be the recipient of specific funding that is linked to the delivery of specified project outcomes.

Community volunteering activity – an activity being undertaken as part of a Community project, as part of a plan of work, established to deliver a specified project outcome.

Community service volunteering – the provision of staff time in support of a Community project or a Community volunteering activity, either within or outside normal working hours, at no cost to the beneficiary.

Contracting authority - means any contracting authority as defined in Regulation 3 of the Public Contracts (Scotland) Regulations 2012 other than one of the I-Flair Members.

Directly Employed – an employee that works under an employment contract directly with the principal contractor, or a subcontractor directly engaged by the principal contractor, to deliver the call-off contract works and services.

Directly engaged in delivering work under this framework – a person that is directly employed to deliver the works and services of the call-off contract, and is engaged in full time work for a duration not less than fifty percent of the contract period.

Education mentoring - supporting educators through sharing your organisations experience, knowledge and skills for the duration of the call-off contract, until practical completion, and providing the educators, students and school pupils with regular support and 'one-to-one' and 'group' mentoring.

Enterprise programme – an event, or series of events, supporting social enterprises in addressing social and environmental challenges through volunteering and community action, aiming to improve the lives of people within the communities that the social enterprise(s) operate.

Existing Employee – a person that, currently works under an employment contract directly with the principal contractor, or a subcontractor directly engaged by the principal contractor, to deliver the call-off contract works and services.

Feedback sheet – A feedback sheet is a means of evidencing that where work experience, education support, community capacity building or community volunteering benefits have

been provided, such benefits have been effective, in terms of achieving the planned outcomes, for that activity. Feedback sheets are to be completed by those benefiting from the commitment, on completion of the activity, with each participant being invited to record their impression of the effectiveness of the activity delivered, in relation to the specified outcomes of the activity.

Full day – an event lasting a minimum of eight hours in a single day.

Full time – a person that works a minimum of thirty-five hours or more a week.

Graduate – a person that has successfully completed a recognised and certified course of study, including persons awarded an undergraduate or academic degree.



Half day - an event lasting a minimum of four hours in a single day.

Industry awareness day – sharing your organisation's knowledge and expertise of the construction industry through providing careers talks and site visits for school leavers, students or trainees.

Modern Apprenticeship – providing an opportunity of work based training and financial support to a person registered as an apprentice with an industry recognised body, leading to a recognised and approved construction qualification, whilst earning a wage.

New Entrant – is a person that is leaving an educational establishment (e.g. school, college or university) or a training provider, or a non-employed person that is seeking employment; this may include on-site training and assessment or off-site training or a mix of these.

Organisation (for the purpose of identifying suitable companies which contractors could deliver business mentoring) -

- 1. A new business founded within the last three years, endorsed by an employment and community capacity building organisation; or
- 2. A micro, small or medium sized company (SME), endorsed by an employment and community capacity building organisation; or
- 3. A Social Enterprise, endorsed by an employment and community capacity building organisation; or
- 4. A Supported Business, endorsed by an employment and community capacity building organisation.

Planted area refurbishment/renewal – the removal of existing plants and remains of existing plants from an established area of shrubs, plants or trees, the preparation of the soil for planting, including the placing of a new growing medium and the planting of new and replacement shrubs, plants and trees, of agreed species, including staking of trees, top dressing, mulching and the installation of temporary protection measures.

School leaver – a young person who is about to leave or has left secondary school education within the last six months.

Sector Skills Body – an approved apprenticeship scheme such as the Scottish Building Apprenticeship and Training Council (SBATC) or Scottish Painting and Decorating Apprenticeship Council (SPADAC).

Skilled tradesperson – a person with a recognised construction industry trade craft such as plumbers, joiners, electricians or painters.

SME – micro, small and medium sized companies with a maximum of 250 employees and a turnover that does not exceed fifty million euros or a balance sheet that does not exceed forty- three million euros.

S/NVQ – Scottish and National Vocational Qualifications.

Social Enterprise – a business that trades to tackle social problems, improve communities, people's life chances, or the environment and reinvests their profits back into the business or the local community.

Structured career event – an event providing information and guidance on construction careers including providing careers talks, meeting with attendees and answering potential questions relating to careers in the construction industry, the benefits of which are evidenced by positive feedback reports from the participants.

Structured period of work experience – providing work based learning and construction industry career advice and information, the benefits of which are evidenced by positive feedback reports from the participants

Student - a person that is studying at University or other place of higher education.

Supported Business - a business where over fifty percent of the employees are people with a disability.

Third sector organisation – voluntary and community organisations including community groups, voluntary organisations, charities, social enterprises, co-operatives and individual volunteers that have been established to deliver benefits to the third sector.

Trainees - people that have a trainee contract or a contract of employment or self-employment that are not apprentices.

Workshop – a structured training event offering information on construction industry careers and inviting engagement and discussion from attendees.



COMMUNITY BENEFIT POINTS MATRIX

	Duration					
Contract Value	Not exceeding Twenty-Six Calen- dar Weeks	Twenty-Seven to Fif- ty-Two Calendar Weeks	Fifty-Three to One Hundred and Four Calendar Weeks	One Hundred and Five to Two Hundred and Eight Calendar Weeks		
£100,000 - £249,999	10	20	25	30		
£250,000 - £499,999	20	25	30	40		
£500,000 - £999,999	30	40	45	50		
£1million and over	40	50	60	70		



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COMMUNITY BENEFIT POINTS WEIGHTING TABLE

CATEGORY	REF	COMMUNITY BENEFIT OUTCOMES	DESCRIPTION	COMMUNITY BENEFIT POINTS		
A (There is no	1	Modern Apprenticeship	Create a new directly employed Apprenticeship Position, registered with a sector skills body, for a person that will be directly engaged in delivering work under this framework.	20		
restriction placed on the maximum number of points available from this Sec- tion)	2	Apprenticeship to qualified skilled trades- person transi- tion	has completed a modern apprenticeship within the last twelve months and is transitioning to become a skilled tradesperson. Full time direct employment must be of-			
	3	Graduate	Provide Full time direct employment, for a minimum period of six months, through a position for a University or College Graduate that will be directly engaged in delivering work under this framework.	15		
	4	Job (Un- employed)	Provide Employment to a new entrant (full time direct employment offered for a minimum of six months) for a person that will be directly engaged in delivering work under this contract.	15		
	5	Job (Un- employed)	Provide Employment to a new entrant who has been unemployed for twelve months or longer (full time direct employment offered for a minimum of six months) for a person that will be directly engaged in delivering work under this contract	20		
B (A maximum of 10 points is	1	Work Experi- ence Placement	Directly provide, through delivering work under this framework, a minimum four week structured period of work experience, not less than twenty-five hours per week, for a school leaver, student or trainee	2.5		
available from this Section)	2	Work Experi- ence Placement	Directly provide, through delivering work under this framework, a minimum eight week structured period of work experience, not less than twenty-five hours per week, for a school leaver, student or trainee	5		
C (A maximum of 10 points is available	1	Education Support Initiative	Visit and deliver via this framework a Half day Industry Awareness Day or Workshop provided to a minimum of twenty high school pupils or college students. Second- ary schools and college's located in East Renfrewshire are listed later in this Annex A.	5		
from this Section)	2	Education Support Initiative	Visit and deliver via this framework a Half day Structured Career Event provided to a minimum of twenty high school pupils or college students. Secondary schools and college's located in East Renfrewshire are listed later in this Annex A	5		



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	3	Education Support Initiative	Visit and deliver to school pupils or college students via this framework, an Education Mentoring or Enterprise Programme. Secondary schools and college's located in East Renfrewshire are listed later in this Annex A.	5
D	1	Supply Chain Development	Undertake via this framework Business Mentoring with SME's endorsed by an employment and community capacity building organisation.	5
(A maximum of 5 points is available from this Section)	2	Supply Chain Development	Provide via this framework Business Mentoring for Social Enterprises, Supported Businesses and Third Sector Organisations, endorsed by an employment and community capacity building organisation.	5
	3	Supply Chain Development	Undertake via this framework Mentoring Third Sector Organisations, endorsed by an employment and community capacity building organisation.	5
E (A maximum	1	S/NVQ Training	Deliver S/NVQ's or equivalent for Existing Employees engaged in delivering work under this framework	2.5
of 10 points is available from this Section)	2	S/NVQ Training	Deliver S/NVQ's or equivalent for New Entrants engaged in delivering work under this framework	5
this occurry	3	Trainee Position	Provide structured training places to a new entrant engaged in delivering work under this framework leading to CITB or equivalent recognised qualifications.	10
F (A maximum of 10 points is available from this Section)		Community ca- pacity building activity	ty building $£1,000$) with delivering one full day or two half day	
	2	Community ca- pacity building activity	Meet all costs associated (up to a maximum value of £3,000) with delivering three full day or six half day community capacity building training events, in any given 6 month period, to meet a need identified by an agreed community project.*	7.5
(A maximum of 1 volu		Community volunteering activity	Deliver one half day community service volunteering in any given 6 month period, providing a minimum six person team with the necessary skills and expertise, in support of an agreed community project.*	2.5
from this Section)	2	Community volunteering activity	Deliver one full day or two half day community service volunteering in any given 6 month period, providing a minimum six person team with the necessary skills and expertise, in support of an agreed community project.*	5
	3	Community volunteering activity	Deliver a structured programme of community service volunteering, consisting on a minimum of six half day sessions in any given 6 month period, providing a minimum six person team with the necessary skills and expertise, in support of an agreed community project.*	15
H (A maximum of 10 points is available from this Section)	Support the refurbishment / renewal of an existing planted area re-furbishment area responsible, by providing up to sixteen hrs of labour		2.5	



UNITARY AUTHORITY SECONDARY SCHOOLS AND COLLEGES LOCATED IN EAST RENFREWSHIRE

LOCATION	REF	NAME	ADDRESS	TELEPHONE NUMBER
ER	1	Barrhead High School	Aurs Road, Barrhead, East Renfrewshire, G78 2SJ	0141 577 2100
East Renfrew- shire	4	St Lukes High School	Springfield Road, Barrhead, East Renfrewshire, G78 2SG	0141 577 2400

EMPLOYMENT AND COMMUNITY CAPACITY BUILDING AGENCIES

LOCATION	REF	NAME.	ADDRESS	TELEPHONE NUMBER	WEBSITE
ER East Renfrew- shire	1	Voluntary Ac- tion East Renfrewshire	56 Kelburn Street, Barrhead, East Ren- frewshire, G78 1LR	0141 876 9555	www.va-er.org.uk
SCOT Scotland	1	Young En- terprise Scotland	40 Wellington Street, Glasgow, G2 6HJ	0141 202 0650	www.yes.org.uk

COMMUNITY ORGANISATION DIRECTORIES AND MEMBERSHIP LISTS

LOCATION	REF	NAME	WEBSITE
ER East Renfrew- shire	1	Voluntary Action East Renfrewshire	Voluntary Action East Renfrewshire Community Directory



COMMUNITY BENEFITS - CALL-OFF CONTRACT PROFORMA

Monitoring the delivery of Community Benefits will form a core part of a Call-Off Contract and successful tenderers will be required to complete this pro-forma;

- when accepting the Order Form (contained in Schedule Part 4 Framework Agreement);
- updating every twelve weeks during the construction phase;
- updating upon practical completion of the construction phase;
- upon issue of the final certificate; and
- on the annual date of commencement for a measured term contract.

Delivery of Community Benefits by Contractors will be monitored by the Contracting Body entering into a Call-Off Contract with the Contractor.

BHA, will regularly, and at least quarterly, monitor, collate and report on the Community Benefits delivered by the Framework Agreement. The Contractor must promptly respond to an information request from I-Flair Members, where the request relates to information reasonably required by I-Flair Members to comply with I-Flair Member's internal reporting requirements and also the reporting requirements of the Scottish Government.

Guidance

- 1. Education Support Initiative the principal contractor will invite, and provide a minimum of two places, for the Contracting Body at the industry awareness day, workshop or structured career event.
- **2. Community Capacity Building** the principal contractor will invite, and provide a minimum of two places, for the Contracting Body at the community capacity building training events.
- **3. Community Volunteering Activity** the principal contractor will invite, and provide a minimum of two places, for the Contracting Body at the community service volunteering events.
- **4.** The principal contractor will facilitate and provide assistance, if required, in publicising the events and Community Benefits delivered by the Framework Agreement.
- 5. The principal contractor will provide, upon written request from the Framework Administrator or Contracting Body, evidence (e.g. attendance records or positive feedback sheets, completed by attendees) of the delivery of education support initiatives, community capacity building and community volunteering activity events.



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COMMUNITY BENEFITS CALL-OFF CONTRACT PRO-FORMA

CATEGORY	REF	COMMUNITY BENEFIT OUTCOMES	COMMUNITY BENEFIT POINTS	MONITORING AND REPORT COMPLETED BY THE PRI	
A (There is no restriction				Trade(s) and stage of apprenticeship	
placed on the maximum number of points				Home Postcode of Employee (s)	
available from this Section)	1	Modern Ap- prenticeship		Employment com- mencement date(s)	
				Total duration (days) engaged on delivering works and services to I- Flair through the contract Name of registered Sector Skills body	
				Trade(s) & completion date of apprenticeship(s)	
		Apprenticeship to qualified		Home Postcode of Employee (s)	
	2	skilled tradesperson transition		Employment com- mencement date(s)	
				Total duration (days) engaged on delivering works and services to I- Flair through the contract	
				Trade(s)	
				Home Postcode of Employee (s)	
				Employment com- mencement date(s)	
				Total duration (days) engaged on delivering works and services to I- Flair through the contract	
	3	Graduate		Name of University or College that the graduate(s) obtained their relevant qualification and the date the qualification	
				was obtained	



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