

## Procurement Policy

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# 1. Policy Overview

This policy is produced to support the acquisition of all goods and services and to ensure that such activities are undertaken in a consistent manner, demonstrate value for money and are compliant with current Utilities Contract Regulations 2016 whether, Local, National or International. This policy sets out the rules and principles to be applied to all procurement activity, however large or small, conducted by any employee or representative of East Midlands Railway. The policy seeks to promote good procurement practices and covers principles relating to legal and ethical activity, as well as personal conduct. The policy serves to protect both the company and any individual involved in any procurement process by setting out trading principles, supported by good processes and a strong audit trail. Conflict of interest is a significant risk to individuals and, where it exists, it should be brought to the attention of the company.

This policy is supported by the “East Midlands Railway Procurement Procedures” document, detailing all procurement procedures, and is designed in line with the “East Midlands Railway Code of Conduct Policy”, which should be applied to uphold the policy principles.

Deliberate breach of this policy, or unauthorised departure from the procedures derived from this policy may result in disciplinary action.

Anyone involved in procurement activity is encouraged to seek advice from their line manager and/or director if they have any concerns regarding any aspect of this Procurement Policy or the Procurement Procedures.

# 2. Purpose and Application

- 2.1.This Procurement Policy applies to and binds all directors, managers, employees, and representatives of East Midlands Railway (EMR) in any situation where they are involved in a procurement process, whether as requisitioner, purchaser or negotiator, or those who validate or authorise payment. Procurement can be defined as the total cost of the acquisition of goods and services to deliver cost effective, reliable supply and services to the required standard.
- 2.2.“Procurement” is the overarching function that describes the strategic activities and processes to acquire goods and services. Procurement includes strategic activities involved in establishing fundamental requirements, sourcing activities such as market research and vendor evaluation and negotiation of contracts. It can also include the purchasing activities required to order and receive goods.

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- 2.3. The term “Purchasing” refers to the process of ordering and receiving goods and services. It is a subset of the wider procurement process. Generally, purchasing refers to the process involved in ordering goods & services such as request, approval, creation of a purchase order record (a Purchase Order or P.O.) and the receipting of goods. Adherence to the Procurement Policy is both an individual and a corporate responsibility.
- 2.4. For its effective implementation, the policy requires, from each person involved in the procurement process, an active involvement with consideration of all factors.
- 2.5. The policy can only be revised or altered by authority from the EMR board of Directors. It is permissible to modify or override individual elements of the procedures after appropriate authorisation but only if such changes do not conflict with the aims and objectives of the policy.

### 3. Policy Principles

- 3.1. As EMR is a signatory to a National Rail Contract, it is important that policy principles are consistent with guidelines from the National Audit Office (NAO). The NAO uses three criteria to assess the value for money of government spending i.e., the optimal use of resources to achieve the intended outcomes:
- 3.1.1. Economy: minimising the cost of resources used or required (inputs) – spending less;
  - 3.1.2. Efficiency: the relationship between the output from goods or services and the resources to produce them – spending well; and
  - 3.1.3. Effectiveness: the relationship between the intended and actual results of public spending (outcomes) – spending wisely.
- 3.2. One of the most transparent methods of determining value for money is through open competition. When placing a purchase order, quotations and/or tenders, the total cost should always be obtained and accessed to assist in determining value for money. The evaluation of those quotations must always consider factors such as quality and fitness for purpose issues that support the prices submitted.
- 3.3. The procurement policy principles are expanded below and are reflected in the detail that follows in this document:
- Legal
  - Safe
  - Accountable and auditable
  - Ethically, environmentally, and socially responsible
  - Economically effective

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- Conducive to maintaining EMR’s ability to exploit appropriate technological, commercial, and organisational developments as they arise
  - Capable of identifying, minimising, and managing risks that may threaten the supply chain or the wider organisation
  - Open to continuous improvement and development
- 3.4. As far as reasonably possible, EMR should only employ suppliers and contractors who subscribe to and operate on principles similar to those of EMR.
- 3.5. Of these principles, legality, accountability, and auditability are non-negotiable. There are no circumstances in which it is permissible for any procurement activity or those engaged in it to consciously break, or knowingly risk breaking, the laws that apply.
- 3.6. There are no circumstances in which it is permissible to requisition or buy goods or services or commit EMR funds without documenting the transaction in such way that at a future date it is possible to determine who requested, made or approved the expenditure, the purpose of the expenditure, the process by which all key decisions were arrived at, and by whom, and the destination of any goods or services received and of any payments made.
- 3.7. As part of the National Rail Contract, EMR is required to comply with the Utilities Contract Regulations 2016 (UCR 2016)
- 3.8. EMR is required, in matters of over threshold procurements, to adopt procurement procedures in accordance with those published within the UCR 2016. It is also required to adopt a transparent, non-discriminatory approach in all its procurement activities (i.e., openly advertise any contract opportunities and conduct evaluation of bids and contract awards using objective procedures that will withstand scrutiny by audit).
- 3.9. Specific procedures exist for securing Supplies, Service and Works using a variety of procedures. Please contact the EMR Procurement Team for advice on these matters.
- 3.10. Within each procedure, timescales are prescribed for each stage of a procurement activity. Failure to adopt the published procedures correctly may lead to claims of contract ineffectiveness and the application of a range of penalties including legal action for claims for contract illegality, charges of contract ineffectiveness and breaches of fundamental procurement principles etc.
- 3.11. Where your planned expenditure exceeds the currently published thresholds for each type of procurement and will therefore be subject to UCR 2016 rules, (thresholds are published and revised every two years) seek advice from the EMR Procurement Team to develop the appropriate strategy.

### 3.12. Quality Assurance

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3.13. EMR requires that its suppliers hold or can demonstrate progress towards achieving a recognised quality management certificate, for example BS/EN/ISO 9000 or equivalent.

3.14. EMR accepts that some suppliers will be working towards gaining such a certificate and some suppliers will not be able to achieve such a certificate prior to contract award. In these cases, EMR expects that a supplier will have processes and procedures in place to ensure that quality is properly managed, including making sure that legal and safety requirements are met.

### 3.15. **Health and Safety**

3.16. EMR requires that its suppliers comply with their country's statutory obligations under current legislation relating to Health and Safety, including the training of its staff in Health and Safety matters.

### 3.17. **Equal Opportunities**

3.18. EMR is required, under the Equality Act 2010, to carry out its functions with due regard to the need to eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010; advance equality of opportunity between people from different groups; and foster good relations between people from different groups.

3.19. In compliance with the Equality Act 2010, EMR seeks to ensure that services, which are carried out on its behalf by external contractors, are carried out with the same regard for the promotion of equality.

3.20. All suppliers to EMR are expected not to treat one group less favourably than others because of their colour, race, nationality, ethnic origin, gender, disability, sexual orientation, religion, belief, or age in relation to decisions to recruit, train or promote employees.

### 3.21. **Sustainability in Procurement**

3.22. Prior to commencement of any proposed procurement exercise, consideration should be given to any positive or negative impact that may arise in relation to environmental, economic, or financial factors. Tenderers shall be required to address and mitigate against any negative issues and identified risk and promote any positive benefits.

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### 3.23. Environmental Management

- 3.24. EMR's policy in respect of its procurement activities is to reduce the environmental impact of the products and services which EMR buys by developing an environmentally responsible purchasing policy and by working in partnership with key suppliers.
- 3.25. EMR is committed to a low-carbon economy, and therefore considers it desirable that all suppliers of goods and services are able to demonstrate that they take a proactive approach to environmental management. EMR encourages its suppliers to hold or be working towards holding an environmental management system such as ISO14001 or equivalent.
- 3.26. EMR accepts that some suppliers will be working towards gaining such a certificate and some suppliers will not be able to achieve such a certificate. In these cases, EMR expects that a supplier will have processes and procedures in place to manage their environmental impact.

### 3.27. Ethical Sourcing

- 3.28. EMR's stance on ethical sourcing is that its suppliers should seek to ensure that the products and services they buy/produce are not exploiting child labour, not exploiting developing-world labour or economies, and meet recognised fair-trade standards wherever possible.
- 3.29. Where applicable, when evaluating those tender submissions from suppliers who are defined as a relevant commercial organisation, as defined in section 54 ("Transparency in supply chains etc.") of the Modern Slavery Act 2015 ("the Act") EMR, will seek to only award contracts with those Tenderers who are compliant with the Act.
- 3.30. Where a commercial organisation, fails to confirm compliance with the required annual reporting requirements, EMR shall investigate. Post receipt of a satisfactory explanation for such non-compliance and, at the sole discretion of the EMR, the submission will be progressed for further evaluation.

## 4. Legality and Regulatory Compliance

- 4.1. Procurement and contracting activity will fully respect and comply with:
- All applicable UK laws and regulations

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- The Utilities Contract Regulations 2016
- All applicable European Union laws, directives, and regulations, where relevant.
- The relevant laws, regulations of other territories in which organisations operate, to which we supply, or from where we source products & services.
- International laws, treaties, and agreements to which the UK government is party
- The Terms and Conditions of EMR’s National Rail Contract Agreement or any instruction from the Department for Transport or any other rail industry regulatory body.

Note: this includes not only those laws directly applicable to the buying and selling of goods and services – it also includes, amongst others, the laws on:

- Health and Safety
- Taxation – EMR will not be a party to the evasion of income, sales, corporate, value added or other taxes, custom duties, or other charges
- Environmental regulations
- Employment
- Corruption

4.2. It is not acceptable to source goods or services in a foreign territory solely in order to allow an activity to occur which would not be permissible in our home territory and/or in those territories to which our goods and services are supplied.

4.3. EMR is committed to the fair and effective application of laws and regulations. There is, therefore, a positive duty on its employees to report any and all reasonably founded suspicions of illegal activity (for example, attempts at bribery or corruption, evidence of anti-competitive or cartel like activity, breaches of employment or environmental law).

4.4. In support of the above, EMR will support, protect and, where possible, preserve the anonymity of “whistle-blowers”, inside or outside of the organisation, who act in good faith, even if their suspicions should subsequently prove to be unfounded.

EMR and its employees will give full co-operation to legitimate authorities investigating such claims.

## 5. Accountability and Auditability

5.1. EMR will maintain systems, whether manual or electronic, that will, for all purchases, contracts, and external commitments above the level of “petty cash” and minor personal expenses, record, identify and as appropriate provide justification for:



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- The originator of the requirement.
- The purpose for which the requisition was made.
- The route by which the requisition was approved.
- The methods adopted in accordance with its procedures (or any variation from procedure, with reasons) to procure the requirement, with all relevant documentation (for example requests for quotation, tender documents and so on) and the reasons for decisions made.
- The source of supply.
- The compliance or otherwise of the goods and/or services with the requirement as specified in the contract or other agreement.
- All actions taken to remedy any defect as recorded above, and the results.
- The route by which payment was authorised, and when, to whom and in what sum any payments are made.

5.2. Contracts and purchases must be awarded on merit, in accordance with this policy and the Utilities Contract Regulations 2016 and no special favour should be shown to businesses run by, for example, friends, partners or relatives.

5.3. Any employee involved in a tendering process for goods, services or works that is above the Utilities Threshold, must declare any interest they have in the matter to which that procurement process relates, including a nil interest, by completing and signing a Declaration of Interest Form, which will be held by Procurement. Should the employees interest change during the procurement process, that change in interest must be declared. Appropriate action must be taken pursuant to the interest that is declared, including removing the employee from that particular procurement process.

## 6. Delegated Financial Responsibilities

6.1. EMR and Abellio has a system of formal delegated responsibilities, and no individual should act in a way which gives approval to incur any expenditure for which they are not authorised, this includes entering any contract or purchase order which commits the company to incur expenditure of any kind, excepting minor personal expenses (as governed by the "East Midlands Railway Expenses Policy"). Delegated financial responsibilities are determined and issued on an individual basis. Anyone not holding an approved and signed Delegated Authority form must assume that they have no delegated responsibilities.

6.2. Appropriate authority from the relevant budget holder should be obtained before commencement of any procurement exercise.

6.3. Prior to commencement of any procurement activity, it is necessary to check that the required approval has been received for the relevant procurement exercise.



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- 6.4. Delegated Authority forms, setting out the limits of financial authority are usually issued to individuals, as appropriate, upon appointment to a position but can subsequently be amended or issued by application to the Financial Control team.

### **7. Contracts**

- 7.1. When contracts are awarded, it is important that an appropriate set of terms and conditions are agreed between the parties. Ideally a contract should be on EMR standard contracts which are held by Procurement. In some cases, we may need to use the suppliers' terms as a basis for further negotiation, this will be carried out by the Procurement team. Any suppliers' terms and conditions that will be used for any value contract must be approved by procurement before signing.
- 7.2. Procurement will lead the negotiation of major contracts and will be available to advise on minor agreements. All contracts can only be signed by Directors in line with the delegated authority's matrix available from Finance. Procurement must be furnished with copies of all signed agreements so that they can be held on a database.
- 7.3. Contracts must not go beyond the current NRC term unless authorisation to enter such a contract has been approved by Procurement and the Finance Director following consultation with the DfT.

#### **7.4. Use of Framework, Group and RDG Contracts**

- 7.5. Wherever practical, agreements for goods and services that are purchased regularly will be negotiated by the Procurement Department and made available as a call-off/framework contracts with prices and terms negotiated for a set period of time. In putting these agreements together Procurement will consult with all interested stakeholders within the business to ensure their requirements are met. Where call-off or Framework contracts are available then they are mandatory, and no other suppliers must be used unless agreement is obtained from the Head of Procurement. For some goods and services more than one Framework agreement may be in place and users will be able to choose which one to use. Frameworks applying to individual departments will be issued directly to them.
- 7.6. Colleagues issued with Purchasing Cards must not use these cards to bypass the requirement to use framework contracts where they are available. Failure to adhere to this requirement may result in Purchasing Cards being removed.

#### **7.7. Regulated and Key Contracts**

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7.8. Some contracts require the approval of the Department for Transport (DfT) and/or the Office of Road and Rail (ORR) prior to agreeing or amending them with a third party. Regulated contracts require the approval of the ORR, these include:

- Track, Station, and Depot Access Agreements.

Contracts that require the approval of the DfT Include:

- Any contract that we wish to enter into that goes beyond our current NRC term unless authorisation to enter into such a contract has been approved by Procurement, the Finance Director and consent from DFT.
- Subcontracting of passenger services
- Operation of any additional stations or light maintenance depots
- New property leases (these should follow agreed terms)
- Amendment of any property lease (except if we are required to do so under any station or depot access conditions)
- Station and Depot leases and Station subleases
- Rolling stock contracts (new/amend or waive terms)
- Insurance arrangements.

Any new agreements and in some cases changes to the terms of the agreement will require approval. In addition, any proposed changes or closure to the track, depot or station facilities will require consultation with other uses, and approval from the DfT and ORR.

As a National Rail Contract holder, the Company has certain Key Contracts listed in its Agreement, these include:

1. Any Access Agreement to which the National Rail Contractor is a party other than in its capacity as a Facility Owner.
2. Any Property Lease.
3. Any Rolling Stock Related Contract including Rolling Stock Leases (excludes rolling stock related vehicles funded by additional investment)
4. Any contract for the maintenance and renewal of works at Stations
5. Any contract or arrangement for the lending, seconding, hiring, contracting out, supervision, training, assessment, or accommodation by another Train Operator of any train drivers, conductors or other train crew used by the National Rail Contractor in the provision of the Passenger Services.
6. Any contract or arrangement for the subcontracting or delegation to another Train Operator of the provision of any of the Passenger Services.
7. Any contract or arrangement with a Train Operator (other than an Access Agreement) for the provision to the National Rail Contractor of train dispatch, performance or supervision of platform duties, security activities,

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evacuation procedures, advice or assistance to customers, assistance to disabled customers, operation of customer information systems, cash management or ticket issuing systems administration.

8. Any contract or arrangement with a Train Operator for the provision of breakdown or recovery, and track call services to assist in the provision of the Passenger Services.
9. Any contract or arrangement for the supply of spare parts
10. Any contract or arrangement for the maintenance of track and other related infrastructure.
11. Any licenses of Marks to the National Rail Contractor.
12. Any contract or arrangement relating to the operation of smart ticketing and ticketing retail.
13. Any Licence of any Customer Relationship Management (CRM) System or Yield Management System
14. Any contract or arrangement for the provision or lending of Computer Systems (other than CRM and Yield Management)
15. Any SQR Contract.
16. Any Universal Licence Agreement.
17. Any other category of agreement, contract, licence, or other arrangement notified to the Operator by the Secretary of State.

7.9. The Company cannot enter into or amend the terms of these contracts without the prior approval of the DfT. The Procurement Department working with the NRC Management Team will obtain all necessary approvals from the ORR and DfT and will provide advice on the management of these contracts. The Track Access Manager for the Company will obtain any Track access approvals.

7.10. Failure to comply with the approval process could be a breach of the NRC Agreement and/or its Licence to operate as a Passenger train operator.

### 7.11. Contract Variations

7.12. There will be occasions where variations to contracts are required to take account of additional work. Variations are only allowed to cover work arising from the main contract that relates directly to the task in hand. Variations must not be used to authorise new work in order to avoid the tender process and must be approved in line with the delegated authorities' matrix. In terms of value variations must be proportionate to the original contract value.

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### 8. Procurement Thresholds & Sourcing Methodology

- 8.1. The value of a Contract must not be sub-divided or underestimated for the purpose of reducing the total value of the contract in order to bring the procurement exercise below the relevant threshold and, therefore, be exempt from the application of the Utilities Contract Regulations or this Policy.
- 8.2. In determining how to calculate the estimated value of a procurement to comply with the Utilities Contracts Regulations 2016, please contact Procurement for advice.
- 8.3. The value of a Contract must also not be sub-divided or underestimated for the purpose of reducing the total value of the contract to bring the procurement exercise below the EMR thresholds in the Procedures document to avoid the EMR'S procedural requirements.
- 8.4. Contract expenditure figures must be monitored quarterly, based on an assessment of risk, to ensure that the basis of any Contracts awarded remain appropriate and legal.
- 8.5. There are seven main competitive processes permitted under the Utilities Contracts Regulations 2016 and they represent best practice for all procurements above the applicable thresholds:
  - (a) Open Procedure;
  - (b) Restricted Procedure;
  - (c) Dynamic Purchasing System;
  - (d) Framework Agreements (with or without mini-competitions);
  - (e) Competitive Procedure with Negotiation;
  - (f) Competitive Dialogue;
  - (g) Innovation Partnership.

### 9. Economic Effectiveness

- 9.1. EMR expends a considerable portion of its revenues on bought in goods and services and procuring such goods and services in the most economically effective manner is, subject to the legal, ethical, and other restraints outlined above. In carrying out this role, all those involved in procurement will have regard to the following:
  - The desired outcome is that of greatest value gained at best possible cost.
  - Total cost will, as appropriate, consider the full anticipated life

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- Whole life cycle costs of the goods or services, including such factors as maintenance, servicing, reliability costs and costs of ultimate disposal where EMR may be responsible for them.
- Value may and should, where appropriate, be assigned, however approximately, to such factors as sustainability, environmental and social benefits and of improving the competitiveness of the supplier base on which EMR depends.
- In addition to the total cost of acquisition or ownership, it is policy to reduce, where possible, the administrative cost of acquiring and owning goods and services. Selection of the most appropriate procedure to obtain an approximation to best value without incurring excessive administrative cost (or without unduly diverting limited resources from other activities and priorities) is therefore vital.
- Where an opportunity exists to jointly procure a common requirement with other areas of the business group to maximise economy of scale, then this should be considered.

## 10. Risk Management

10.1. The expenditure of resources outside EMR and the dependence on an external supply chain exposes EMR to a wide variety of risks. A significant function of the procurement structure is to identify, if possible, minimise and otherwise manage the likely impact of such risks (to the organisation itself and to other stakeholders).

10.2. For any significant expenditure, long term commitment or identifiable 'pinch point' (where even a small supply problem could have larger ramifications for the wellbeing of the organisation), formal risk assessments will be made, as appropriate, addressing:

- Supply risks – risks resulting from the non-performance or poor performance of a supplier or contractor.
- Demand risks – arising from requisitioners ordering too much, too little or the wrong goods or services, relative to the actual need.
- Market risks – risk of losses in positions arising from movements in market variables like prices and volatility.
- Process risks – the risk that goods are used, or services supplied may not be optimal for the circumstances – even if they comply with the formal requirements of the tender or contract.
- Control risks – risks arising from deficiencies in internal processes and procedures.
- Environmental – the impact of unpredictable hazards from acts of God, through acts of parliament or acts of terrorism.

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- Social – risks arising from issues related to corporate social responsibility such as human rights and so on.

10.3. Risk assessment in the supply chain is necessarily subjective: it is, nonetheless, required that where a significant risk is identified, the nature of the risk shall be identified to stakeholders and, where possible, alternative solutions or fall-back positions considered and documented.

## 11. Continuous Improvement

11.1. All personnel involved in the procurement process are expected to improve their knowledge and skills and EMR will support such activities. EMR aims to recruit, maintain, and develop a core of professionally qualified and competent procurement personnel to make up its specialist procurement team.

## 12. Procurement Procedures

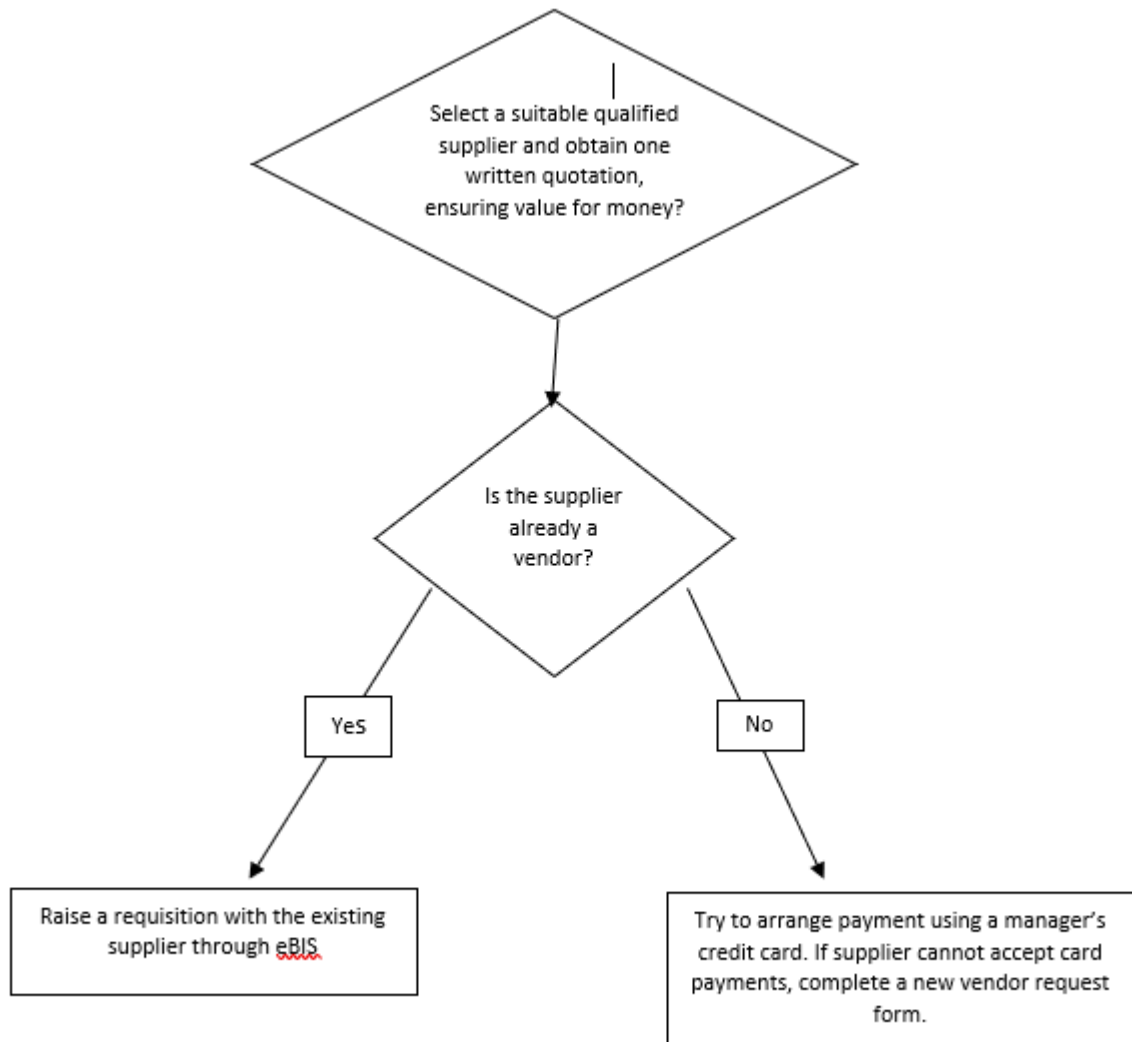
### 12.1. Purchases Less than £5,000

12.1.1. A one-off purchase of less than £5,000 or several purchases over a period of 4 years will go over £5,000.

12.1.2. Consideration should be given to the demonstration of value for money in respect of the goods or service to be purchased.

Please see the following flow chart when making purchases below £5,000 excluding VAT

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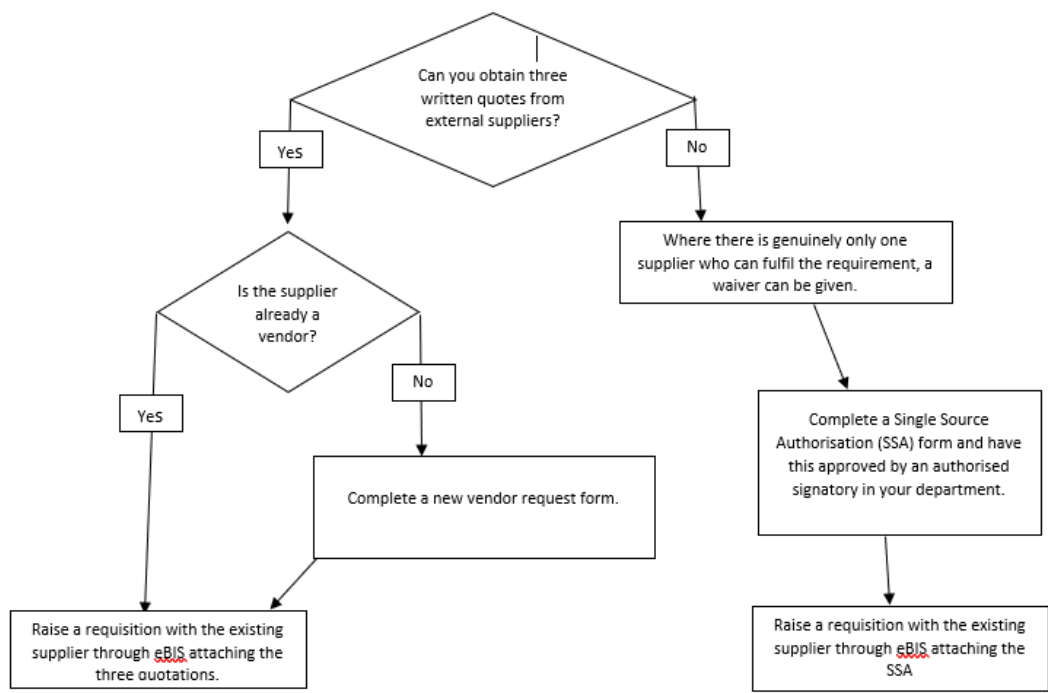
### 12.2. Purchases between £5,000 and £50,000

- 12.2.1. A one-off purchase of less than £50,000 or several purchases over a period of 4 years will go over £50,000.
- 12.2.2. The Procurement team should be consulted on the process and Terms and Conditions that will need to be used.
- 12.2.3. A minimum of 3 written quotations from separate Suppliers shall be obtained, clearly specifying the goods and service to be purchased.
- 12.2.4. If 3 quotations cannot be obtained it is possible for a Single Source Authorisation (SSA) to be given, this must be approved by the Procurement Team.



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- 12.2.5. These should be attached to the requisition / Purchase order as an auditable record of the exercise.
- 12.2.6. This process must be followed when placing an order that is between £5,000 and £50,000.



### 12.3. Purchases between £50,000 and £300,000

- 12.3.1. A one-off purchase of more than £50,000 but less than £250,000 or several purchases over a period of 4 years which will amount between £50,000 to no more than £300,000.
- 12.3.2. All purchases of goods and services that are likely to exceed £50,000 (excluding VAT), either in a single purchase order or aggregated over a 4-year period are required to have a competitive quotation or tender carried out by the Procurement Team.
- 12.3.3. The relevant Category Manager will review your requirements, assessing market considerations, risk, and value for money to determine if 3 quotations will be sufficient or if a full tender is required.

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12.3.4. If 3 quotations cannot be obtained it is possible for a Single Source Authorisation (SSA) to be given, this must be approved by the Procurement Team.

12.3.5. It is not permissible to split your purchases into smaller amounts to avoid this. You must contact the appropriate Procurement Category Manager to discuss your requirements as soon as you know that your purchases are likely to be of this value of spend.

12.3.6. Where a full tender is required advertisement of the opportunity will be conducted by the procurement team, with support from stakeholders.

### 12.4. Purchases over £300,000 Goods and Services and Works contracts over £5,000,000

12.4.1. A one-off purchase of more than £300,000 or several purchases over a period of 4 years which will go over £300,000.

12.4.2. All purchases of goods and services that are likely to exceed £300,000 (excluding VAT), either in a single purchase order or aggregated over a 4-year period are required to comply with the Utilities Contracts Regulations 2016.

12.4.3. It is mandatory to advertise contract opportunities within the Central Government's, Find a Tender system.

12.4.4. The Regulations offer several options in respect of the choice of procurement procedure.

12.4.5. Please contact the Procurement Team for further support and advice on this issue.

## 13. Single Source Authorisation (SSA)

13.1. Where a purchaser is unable to comply with EMR's financial regulations or the seeking of competition through quotation or formal tendering routes is not a viable option, then it is necessary to record the reasons for use of a single source of supply and obtain the necessary approvals before any further action is taken. In exceptional circumstances the requirement to conduct quotations or formal tendering may be waived and approval given for a single supply situation.

13.2. The following justifications apply for the SSA

- Single source supply - The goods, services or works are only available from one source and no reasonable alternative or substitute exists for technical or artistic reasons or for reasons connected with the protection of exclusive rights such as patented technology.
- Compatibility - The goods required are a partial replacement for goods or installations or as an extension to existing goods or installations. If the goods were purchased from an alternative supplier, then EMR would acquire goods with different technical characteristics that would result in:

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- a) incompatibility with the existing goods
  - b) disproportionate technical difficulty in the operation and maintenance
- Emergency - An emergency justification may exist brought about by events unforeseeable by the business if the goods, services, or works are required to:
  - a) correct or prevent an emergency health, environmental or safety hazard
  - b) enable the emergency repair or replacement of existing equipment essential for daily operations
- No quotes - If a request for 3 quotations or a call for competition results in no tenders or suitable tenders/quotes having been submitted or the quotations/tenders submitted are not acceptable, e.g., they do not meet time constraints, do not meet specifications.
- Other - If you believe you had another valid reason to seek an SSA, procurement advice will need to be sought.

### 14. References and Related Documents

Utilities Contract Regulations 2016

National Audit Office

Cabinet Office

Delegated authority lists

Sustainable Procurement Policy

H&S Policy

Anti-Bribery Policy