

# **CANTERBURY COLLEGE POLICY**

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## **TENDERS ADMINISTRATION POLICY**

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**EFFECTIVE DATE: 1 December 2011**

**LAST REVIEWED: May 2007**

**REVIEWED BY: Director of Finance & Funding / Clerk to Corporation**

**NEXT REVIEW: September 2014**

**POLICY LEAD: Clerk to the Corporation**

# **CANTERBURY COLLEGE**

## **TENDERS ADMINISTRATION POLICY**

(This document should be used and read in conjunction with the College's Financial Regulations)

# **TENDERS ADMINISTRATION POLICY**

## **1. INTRODUCTION**

- 1.1 This policy was adopted by the Corporation on 1 December 2011 and comes into immediate effect. The policy must be read and used in conjunction with the current College Financial Regulations (*section 9 Tenders & Quotes*). The policy does not over rule the Financial Regulations and any queries on procedure should be brought to the attention of the Clerk to the Corporation and in their absence the Director of Finance.
- 1.2 The policy is intended to support the formal tendering process and to clarify the administrative procedures required to enable the handling of tenders according to set rules and to ensure that all tenders are dealt with securely in the interests of tendering organisations and the College.

## **2. INVITATION TO TENDER**

- 2.1 All invitations to tender on a formal competitive basis shall state that no tender will be considered for acceptance unless submitted in either:
  - a) a plain sealed package bearing a pre-printed label supplied by the College (or bearing the word 'Tender' followed by the subject to which it relates and the latest date and time for the receipt of such tender); or
  - b) in a special envelope supplied by the College to prospective tenderers and the tender envelopes/packages shall not bear any names or marks indicating the sender.
- 2.2 Every tender for goods, materials, manufactured articles supplied as part of a works contract and services shall embody such of the main contract conditions as may be appropriate in accordance with the contract forms required by the type of tender invitation.
- 2.3 Every tenderer must have given or give a written undertaking not to engage in collusive tendering or other restrictive practice.

## **3. RECEIPT, SAFE CUSTODY AND RECORD OF FORMAL TENDERS**

- 3.1 Competitive tenders shall be addressed to the Principal or a nominated officer which will normally be the Clerk to the Corporation.
- 3.2 The date and time of receipt of each tender shall be endorsed on the unopened tender envelope / package.
- 3.3 The Principal shall designate an officer or officers, not from the originating department, to receive tenders (normally the Clerk to the Corporation) on their behalf and to be responsible for their endorsement and safe custody until the time appointed for their opening, and for the records maintained in accordance with section 4.

## **4. OPENING FORMAL TENDERS**

- 4.1 As soon as practicable after the date and time stated as being the latest time for the receipt of tenders they shall be opened in the presence of two senior officers nominated by the Clerk to the Corporation or other officer designated by the Principal and not from the originating department.
- 4.2 Every tender received shall be stamped with the date of opening and initialled by two of those present at the opening.

- 4.3 A permanent record shall be maintained to show for each set of competitive tender invitations dispatched:
- a) the names of firms/individuals invited;
  - b) the names of and the number of firms/individuals from which tenders have been received;
  - c) the total price(s) tendered (so far as is practical);
  - d) closing date and time;
  - e) date and time of opening;
- and the record shall be signed by the persons present at the opening.
- 4.4 Except as in section 5 below, as record shall be maintained of all price alterations on tenders, i.e. where a price has apparently been altered, and the final price shown shall be recorded. Every price alteration appearing on a tender and the record should be initialled by two of those present at the opening.
- 4.5 A report shall be made in the record if, on any one tender, price alterations are so numerous as to render the procedure at section 4.4 unreasonable.

## **5. ADMISSIBILITY & ACCEPTANCE OF FORMAL TENDERS**

- 5.1 In considering which tender to accept, if any, the designated officers (see Financial Regulations) shall have regard to whether value for money will be obtained by the College and whether the number of tenders received provides adequate competition. In cases of doubt they shall consult the Principal.
- 5.2 Tenders received after the due time and date may be considered only if the Principal or nominated officer decides that there are exceptional circumstances, e.g. where significant financial, technical or delivery advantages would accrue and is satisfied that there is no reason to doubt bona fides of the tenders concerned. The Principal or nominated officer shall decide whether such tenders are admissible and whether retendering is desirable. Re-tendering may be limited to those tenders reasonably in the field of consideration in the original competition. If the tender is accepted the late arrival of the tender should be reported to the Principal.
- 5.3 Technically late tenders (i.e. those dispatched in good time but delayed through no fault of the tenderer) may at the discretion of the Clerk to the Corporation or other nominated officer be regarded as having arrived in due time.
- 5.4 Incomplete tenders (i.e. those from which information necessary for the adjudication of the tender is missing) and amended tenders (i.e. those amended by the tenderer upon their own initiative either orally or in writing after the due time for receipt) should be dealt with in the same way as late tenders under section 5.2.
- 5.5 Where examination of tenders reveals errors which would affect the tender figure, the tenderer is to be given details of such errors and afforded the opportunity of confirming or withdrawing their offer.
- 5.6 Necessary discussions with a tenderer of the contents of their tender, in order to elucidate technical points etc, before the award of a contract, need not disqualify the tenderer.
- 5.7 While decisions as to the admissibility of late, incomplete, or amended tenders are under consideration and while re-tenders are being obtained, the tender documents shall remain strictly confidential and kept in safekeeping in the Clerk's office.
- 5.8 Where only one tender/quotation is received the College shall, as far as practicable, ensure that the price to be paid is fair and reasonable.

- 5.9 A tender other than the lowest (if payment is to be made by the College), or other than the highest (if payment is to be received by the College) shall not be accepted unless for good and sufficient reason. If the proposed bid is less than 2% greater than the lowest, the authorisation of one Director of Finance is required. If the difference is greater than 2% then the acceptance of the higher bid requires the authorisation of the Principal. The reasons for this decision must be recorded by the Department managing the tendering process.
- 5.10 Where the form of contract includes a fluctuation clause all applications for price variations must be submitted in writing by the tenderer and shall be approved by the Principal or nominated officer.
- 5.11 All tenders should be treated as confidential and should be retained for inspection for the period specified in any College, LSC or other guidance relevant to the type of tender.

## **6. CENTRAL PURCHASING**

- 6.1 This policy covers formal tenders. For those items which fall outside of this requirement the College operates a system of central purchasing as detailed in the Financial Regulations procedures (section 9.7).

## **7. OJEU / EXPRESSIONS OF INTEREST**

- 7.1 The College shall arrange for advertisements to be issued as may be necessary from time to time, in OJEU, trade journals and national newspapers inviting expressions of interest in College tenders and associated projects.