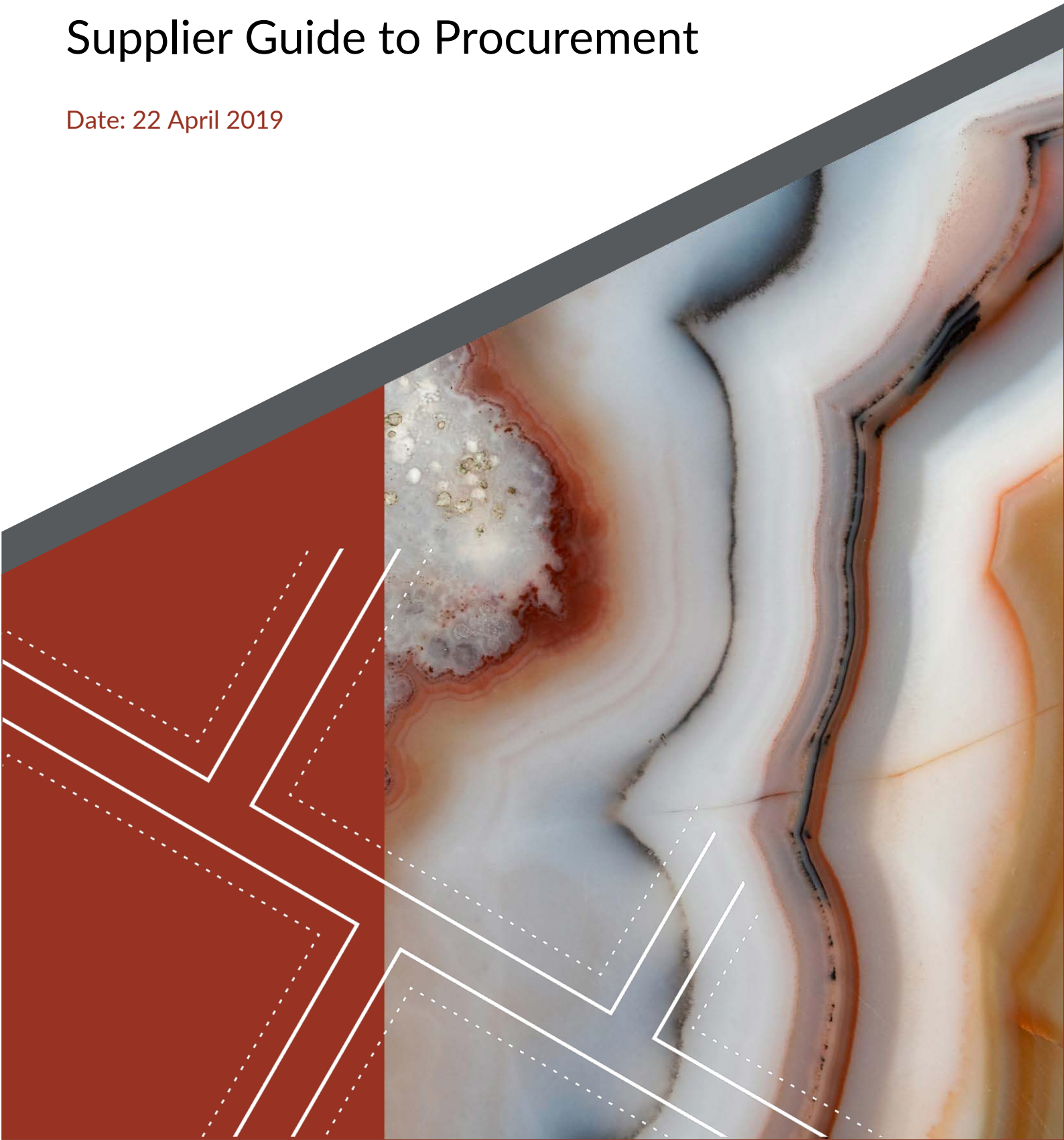


Registers of Scotland

Supplier Guide to Procurement

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1. Purpose

The purpose of this Guide is to provide suppliers with information and guidance on Purchasing and the Procurement function at Registers of Scotland.

2. Introduction to Procurement

Our vision is to develop a high quality, strategic procurement function, dedicated to the delivery of its customers' needs and of measurable sustained value in support of organisational objectives and strategies.

As a public body, we are obliged to comply with regulations governing the procurement of goods and services. EU Procurement Rules set out detailed procedures for the award of contracts whose value equals or exceeds specific thresholds. Again, as a public body, we are legally obliged to comply and RoS faces serious penalties should these be breached. Additionally, we are required to comply with the RoS's Procurement Policy and Procedures. RoS must also satisfy the requirement of Audit that pre-determined processes are followed in order that all procurements are undertaken in a professional, fair and ethical manner.

The most significant legislative requirement is the need to undertake Competitive Tendering.

Procurement are committed to ensuring that sustainability consideration is also given to each and every procurement we undertake to ensure that, as far as we can, sustainability is embedded in the procurement process.

RoS does not operate a policy of Delegated Purchasing Authority and all purchasing must be undertaken by a member of the Procurement function. Procurement should be involved at the outset of any purchasing activity in order to ensure compliance with all policy and procedures, thus protecting both the individual and RoS from any breach of legislation, claims of fraudulent practices and to minimise commercial risk.

3. Competitive Tendering

a) EU Tendering Rules

External Legislation and Internal Policy dictates that the purchase of goods or services of certain values must be undertaken in accordance with procedures which are compliant with best practice and/or statutory procedures.

These procedures may involve either having to obtain quotations or undertake a formal tendering exercise which, depending on the total contract value, may entail applying EU Tendering rules. Information on the EU Tendering rules can be found at:

http://www.publiccontractscotland.gov.uk/Guides/Guide_Download.aspx?id=2101

The European Public Contracts Directories (2014/24/EU)

	Supply, Services¹ and Design Contracts	Works Contracts²	Social and other specific services³
Central Government⁴	£118,133 €144,000	£4,551,413 €5,548,000	£615,278 €750,000
Other contracting authorities	£181,302 €221,000	£4,551,413 €5,548,000	£615,278 €750,000
Small lots	£66,630 €80,000	£820,370 €1,000,000	n/a

¹With the exception of the following services which have different thresholds or are exempt:

- Social and other specific services (subject to the light touch regime) Article 74.
- Subsidised services contracts specified under Article 13.
- Research and development services under Article 14 (specified CPV codes are exempt).

² With the exception of subsidised works contracts specified under Article 13.

³ As per Article 74. Services are listed in Annex XIV. Applying in Scotland from March 2016.

⁴ Schedule 1 of the Public Contracts Regulations lists the Central Government Bodies subject to the WTO GPA. These thresholds will also apply to any successor bodies.

b) RoS Tendering Procedures

In addition to the EU Tendering Rules, RoS has processes which must be followed as part of the Procurement Process. A summary can be found here and full details can be found in the [Procurement Manual](#).

CONTRACT/ PURCHASE LEVEL (Ex VAT)	COMPETITION REQUIREMENT
£0-1k	<p>For orders up to £1k with or without a GPC the purchaser, while expected to ensure and purchase offers value for money, may dispense with the need for a formal assessment of the market but only if they are satisfied that this is appropriate in the circumstances. As a guide a minimum of 1 verbal quotation should normally be sought. Sufficient information justifying the decision not to undertake a comparative assessment of the market must be noted on the relevant file and/or the GPC log book.</p>
£1-£5k	<p>For all orders placed between £1-5k (and subject to GPC transaction limits) the purchaser should use their best judgement and ensure a qualified assessment of the market is carried out prior the award of an order/contract. As a guide, a minimum of 3 verbal quotations should normally be sought and the pertinent details of these must be recorded on the relevant file attached to any requisition and/or, where appropriate, the GPC log book.</p>
£5k-£25k	<p>For all orders placed between £5-25k, the purchaser should use their best judgement and ensure a qualified assessment of the market is carried out prior to the award of an order/contract. As a guide, a minimum of 3 written quotations (including e-mail and faxes) should normally be sought and the details of these must be recorded on the relevant file.</p>

CONTRACT/ PURCHASE LEVEL (Ex VAT)	COMPETITION REQUIREMENT
<p>£25-50k</p>	<p>Purchasers should use their best judgement and ensure a qualified assessment of the market is carried out. This should be appropriate to the value and sensitivity of the order/contract. Purchasers should refer to Supplier Selection for more information. Under normal circumstances a minimum of 3 written quotations should be sought and a formal contract award made the details of these must be recorded on the relevant file. For highly sensitive or strategically important contracts (for example, contracts which are connected to high profile activities which may be subject to particular scrutiny and/or public interest and where the success or failure of the contract may have far greater significance than its estimated value would normally imply) more rigorous formal procedures should be adhered to, i.e. Formal sealed bid procedures. Sufficient information to justify the final decision should always be retained on file.</p> <p>Advertising may be required, depending on the nature of the procurement. Purchasers should consult HoP.</p>
<p>£50k - £106,047 (January 2016)</p>	<p>Formal sealed bid procedures and contract award for the procurement of goods and services about £50k are required to provide value for money, fairness, confidentiality, prevention of collusion and provide an audit trail. Procurement approval must be sought if other forms of comparative assessment are believed to be more appropriate for orders/contracts of this value and above. See</p> <p>Tendering</p> <p>Advertising is mandatory.</p>
<p>>£106,047</p>	<p>For contracts above £106,047.00(excluding VAT) the EU Procurement Rules may apply. These rules set out detailed procedures for the award of contracts whose value equals or exceeds specific thresholds.</p> <p>Advertising is mandatory.</p> <p>OJEU Advertising may be required.</p>

4. The Procurement Journey

RoS have adopted full use of “The Procurement Journey” developed by Scottish Government.

The Procurement Journey is intended to support all levels of procurement activities and to help manage the expectations of stakeholders, customers and suppliers alike. It facilitates best practice and consistency across the public sector.

There are also simplified processes, templates and guidance to support individuals with authority to procure lower value, lower risk procurements. This provides one source of documentation nationally which can be updated on a continual basis with any changes in legislation, policy and promotion of best practice.

RoS now use the source documentation in the Procurement Journey for every procurement exercise to ensure the most recent guidance and templates is used. There is also detailed information on Sustainability.

Suppliers should be aware of the following elements in the procurement process:

- **Business Case** - before the procurement can proceed, a business case is needed. Information from users and market information should feed into the business case so that it presents a preferred option, including financing arrangements for the procurement. These early stages may involve meeting with a range of suppliers (known as “market engagement”)
- **Procurement Strategy** – this relates to how the purchaser will approach the market, identify opportunities available and achieve Value for money. It will include a decision on the procurement route to be pursued and the scope.
- **Advertising the requirement** – The Scottish Public Contracts Regulations place a legal obligation to consider advertising contracts which do not have to be advertised in the EU Journal. Individual Public Bodies will determine the form and means of publication necessary to meet this obligation
- **Tendering** – Procurements may be conducted by a number of routes – via email or electronic tender. The most common procedures that are applied for procurements above EC Threshold values, are known as “Open Procedure” and “Restricted Procedure” (briefly detailed below). “Negotiated” and Competitive Dialogue is used for more complex requirements
 - **Open Procedure** – used where there is likely to be limited interest in an opportunity. In this case anyone interested in the contract will be invited to tender
 - **Restricted procedure** – used for quite straightforward requirements where a lot of suppliers may be able to meet the requirement. This procedure has 2 distinct stages
 - **Selection stage** – requires interested suppliers to complete a PQQ (Pre-Qualification Questionnaire). This is used to assess the financial, technical and/or professional capability and capacity of suppliers. It does not relate to how suppliers would fulfill the requirement. At this stage, the contracting authority will limit the number of suppliers to be invited to tender.
 - **Award stage** – Suppliers selected at stage 1

Information on “The Procurement Journey” can be found on the [Scottish Government Website](#).

5. Where to Find Contract Opportunities

Scottish Contracts

Public Contracts Scotland represents a free and easy way to access details of all public sector contract opportunities in Scotland.

The portal:

- Enables suppliers to gain access to a wide range of contract opportunities | Scotland free of charge
- Provides a source of suppliers for lower value contracts

Quick Quote (QQ)

Quick Quote is an online quotation facility which allows purchasing authorities to obtain competitive quotes electronically for low value requirements. Quick Quote is an efficient solution for low value procurement exercises, this will benefit contracting authorities and still provide a “one stop shop” for suppliers intending to supply the Scottish public sector. Details of the QQ are created online and sent to a selected list of suppliers who are registered on the portal. They can then complete the required details and submit their quotation using the secure tender postbox. QQs are only distributed to the selected suppliers and are not made public on the website. A full electronic audit trail is maintained. It should be noted that Quick Quote will not be used for high value or complex tenders, although contract opportunities will still be advertised through the portal. The website below provides some FAQs regarding PECOS.

Further information on Public Contracts Scotland can be found at www.publiccontractsscotland.gov.uk

6. Collaborative Procurement

Collaboration across public procurement functions provides opportunities for:

- better utilisation of procurement skills and resources’ greater purchasing leverage through aggregation of spend;
- encouraging competition or innovation in markets (thereby providing value for money);
- maximising benefits and;
- the spread of best practice.

RoS will collaborate to achieve these benefits where it makes logical and commercial sense to do so.

The aggregation of purchasing spend has the potential to provide significant value and benefit across the public sector. To assist the realisation of these potential benefits, areas of

spend or categories have been grouped by sector specific attributes or commonality. These groupings define how and by whom in the national procurement structure, contracts are established for each of the categories.

Category A – National Contracts are established centrally and will include, for example, stationery and Information and Communications Technologies (ICT). There is a presumption that National Contracts will be used by all organisations funded or owned by the public sector in Scotland unless there are compelling and objective business reasons to the contrary.

Category B – Sector Specific Contracts are established within each sector (legal authorities, the health service, universities and colleges, and the Scottish Government and its agencies and Non-Departmental Public Bodies). There is a presumption that Category B contracts will be used by all organisations across the relevant sector unless there are compelling and objective business reasons to the contrary.

Category C – General Contracts for commodities and services which are neither classified as A (National Contracts) or B (Sector Specific Contracts) and which will be conducted as the remit of a single organisation.

Category C1 – Local/Regional Contracts for commodities and services which are neither classified as A (National Contracts) or B (Sector Specific Contracts) and which could be consolidated in a region or other grouping to the benefit or purchasing power and optimisation of skilled resources.

7. Tender Evaluation

Where a contracting authority intends to award a public contract on the basis of the offer which is the most economically advantageous, under the Public Contracts (Scotland) Regulations 2006, it shall state the relative weighting which it gives to each of the criteria chosen either in the contract notice or in the contract documents. This will enable suppliers to understand the areas their tenders will be evaluated against and the allocated weighting given to each element. Suppliers should ensure that their tender submissions reflect the requirements of the Invitation to Tender.

At Invitation to Tender stage, you are being evaluated on how well you would be able to deliver the goods or services required, in line with the criteria given.

Tender submissions will only be evaluated on the information provided as part of the tender process.

8. Freedom of Information

All information submitted to RoS may need to be disclosed and/or published by the RoS. Without prejudice to the foregoing generality, RoS may disclose information in compliance with the Freedom of Information (Scotland) Act 2002, (the decisions of the RoS in the interpretation thereof shall be final and conclusive in any dispute, difference or question

arising in respect of disclosure under its terms), any other law, or, as a consequence of judicial order, or order by any court or tribunal with the authority to order disclosure.

Further, RoS may also disclose all information submitted to them to the Scottish or United Kingdom Parliament or any other department, office or agency of Her Majesty's Government in Scotland or the United Kingdom, and their servants or agents. When disclosing such information to either the Scottish Parliament or the United Kingdom Parliament it is recognised and agreed by both parties that RoS shall if they see fit disclose such information but are unable to impose any restrictions upon the information that they provide to Members of the Scottish Parliament, or Members of the United Kingdom Parliament; such disclosure shall not be treated as a breach of this agreement. FOI is included in more detail in our Invitation to Tender documents.

9. How to Increase your chances of Winning Contracts

Outlined below are some important tips to consider when competing for public sector contracts:

- Investigate your sector and only bid for work that you are sure you can do
- Make sure you know early on in the procedure what format you will have to use to fill in the buyer's documents. You also need to know what timescales you are working to and whether interviews will be likely.
- Plan and costs the full extent of delivering the contract to ensure that you have taken full of account of overheads and resource implications
- Always provide the information you are asked for and make sure to accurately answer all the questions
- Plan your bid around the timetable the buyer provides

10. PECOS

PECOS (Professional Electronic Commerce management System) is the electronic system used by RoS to raise Requisitions and Purchase Orders for the procurement of goods and services and as a reporting tool. This has reduced substantially the paper usage, in keeping with sustainable procurement objectives. Purchase Orders raised on PECOS will be sent to Suppliers by e-mail (or fax).

11. Procurement Helpdesk

RoS operates a Procurement Helpdesk whose aim is to provide a strong arm of support to internal members of RoS staff and external suppliers who need help or guidance on a wide range of Procurement related issues.

The helpdesk is staffed at the following times:

- Monday: Thursday: 08.00–16.00
- Friday: 08.00–16.00

12. Sustainability

Sustainable Procurement

“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”.

RoS is committed to supporting Scottish Government’s purpose of ‘increasing sustainable economic growth’. We are conscious that our activities affect the environment in which we exist and we are acting to minimise negative environmental and social impacts associated with the products and services we purchase. We acknowledge our responsibilities in delivering this policy and recognise the importance of engaging our suppliers and (internal) customers in its implementation.

In addition to supporting RoS’ Environmental Management System, contributing to our Carbon Accounting targets and complying with RoS’ broader Environmental Policy, we will embrace an organisational wide commitment to making more sustainable choices when undertaking procurement. This means identifying more sustainable ways of meeting requirements and designing sustainable procurement specifications accordingly. The approach will address the social, economic and environmental implications of product and service choices. When relevant it will embrace whole-life costing and address how aspects such as design, manufacturing materials, operating costs, energy consumption, waste and recycling options support a more sustainable approach and work in partnership with our suppliers and contractors to minimise the environmental and social impacts of our supply chain.

Procurement Policy Statement

We will incorporate sustainability into our everyday procurement activity to benefit society, the economy and the environment.

We will purchase goods and services in a way that minimises the impact on the environment where it is practical and economically viable. In line with the Scottish Government’s purpose of increasing sustainable economic growth, EU and UK ‘green’ procurement legislation, we will initiate savings in materials, energy, reduce waste, and promote a sustainable approach to the way we conduct our business. Working with colleagues and suppliers we will ensure whole-life costs are considered and that, where practical and economically viable, purchases have been manufactured and are delivered, used and disposed of in an environmentally responsible manner. RoS has in place a Sustainable Procurement Policy and a Sustainable Procurement Strategy which are updated annually and can be found from the links below

Sustainability has also been incorporated (where applicable) into all of Procurement’s Templates and documents.

[RoS Sustainable Procurement Policy](#)

13. Abbreviations and Interpretations

Below is a list of abbreviations and interpretations which are commonly used in Public Sector Procurement

- BPI Best Practice Indicator
- CoE Centre of Expertise
- DPA Delegated Purchasing Authority
- EHRC Equality and Human Rights Commission
- EMT Executive Management Team
- ePS E-procurement Scotland
- FOI Freedom of Information
- FOISA Freedom of Information (Scotland) Act
- GPC Government Procurement Card
- HoP Head of Procurement
- IA Information Assurance
- ICT Information and Communications Technology
- MEAT Most Economically Advantageous Tender
- NCA Non-competitive Action
- NDPB Non-departmental Public Bodies
- OBS Output Based Specification
- OJEU Official Journal of the European Union
- PCA Procurement Capability Assessment
- PQQ Pre-qualification Questionnaire
- PECOS Professional Electronic Commerce management System
- QQ Quick Quote
- RoS Registers of Scotland
- SG Scottish Government
- SLA Service Level Agreement
- SME Small or Medium Enterprise
- SPD Scottish Procurement Department

T&Cs Terms and Conditions

T&S Travel and Subsistence

VFM Value for Money

14. Useful Sources of Information

- [Public Contracts Scotland](#)
- [Scottish Government Procurement](#)
- [Registers of Scotland](#)
- [The Procurement Journey](#)

15. Conclusion

This document will have provided some information and some useful links to key information and documents. The Procurement Team is, however, always on hand to answer any questions and assist in any way – please do not hesitate to ask.

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