



Code: QA100
Title: Procurement Policy
Date: 14/12/2020
Approval: University Management Team
Policy Owner: Chief Operating Officer

1. Purpose

NUI Galway, as a public body, operates under the [National Public Procurement Policy Framework](#), which sets out the overarching policy framework for public procurement in Ireland. The University is obliged to adhere to this **Regulatory Framework** in its procurement of all goods, services and works (as outlined in [Appendix 3: Regulatory Framework](#)). In so doing, it will ensure that public funds are spent in a way that ensures maximum value for money, provides the sustainable operation of University activities, and ensures compliance with government policy, national guidelines and EU procurement directives. This Policy sets out the parameters within which public procurement will be undertaken in NUI Galway, in accordance with the Regulatory Framework.

2. Definition

Public procurement refers to the process by which public bodies purchase goods or services from suppliers which they have selected for this purpose. It ranges from the purchase of routine goods or services to large scale contracts for infrastructural projects and involves a wide and diverse range of contracting authorities.

3. Key Principles

NUI Galway operates its procurement in accordance with the overarching principles that procurement transactions and decisions must in all respects be non-discriminatory, fair, equitable, and ensure value for money. The University must be able to justify procurement decisions made and actions taken. Competitive processes will be undertaken in an open and transparent manner, and will deliver the best value for money, in compliance with all EU and National policies, circulars and guidelines such as the [Public Procurement Guidelines for Goods and Services](#) and with the [Capital Works Management Framework](#).

In addition, NUI Galway aligns with the following principles, as outlined in the Office of Government Procurement's [Public Procurement Guidelines for Goods and Services](#):

- Accountability
- Corporate Gifts & Hospitality
- Collusive tendering

- Conflicts of Interest
- EU Treaty principles
- Green Procurement
- Public Financial Procedures Codes of Conduct
- Record keeping
- Risk assessment
- Separation of duties
- Training

4. University Procurement Objectives

- a) To support and comply with the University Strategy *Shared Vision, Shaped by Values*,
- b) To maximise compliance with all relevant government procurement policies, guidelines, and EU directives.
- c) To achieve maximum value for money and sustainability in the delivery of goods, services, and works across the University.
- d) To increase the proportion of spend with contracted suppliers drawn from national frameworks, where such represent real efficiencies and value for money for NUI Galway.
- e) To optimise procurement processes and procedures and introduce automation, where appropriate, to ensure the effectiveness and efficiency in executing procurement processes.

5. Procurement Thresholds

EU Directives and national regulations impose legal obligations on public bodies in regard to advertising and the use of objective tendering procedures for awarding contracts above certain value thresholds.

The **Procurement Thresholds**, and the levels of approval required at each threshold, are outlined in [Appendix 6: Procurement Thresholds](#). These thresholds apply to procurement of individual goods, services and works where the aggregated value of procurement of aforementioned exceeds a threshold.

In conducting public procurement, those to whom delegated authority has been granted to procure on behalf of the University must comply with the guidelines in respect of each of the Phases of Public Procurement, as detailed in the [Public Procurement Guidelines for Goods and Services](#), or with the [Capital Works Management Framework](#).

6. Compliance

Procurement compliance is required at three levels:

- Compliance to legal obligations—EU Directives, Irish regulations and other applicable legislation
- Compliance to government policy—Circulars, Public Spending Code, etc.
- Compliance to internal University policy, procedures, and controls.

All budget holders are responsible for ensuring that expenditure from their budgets is undertaken in compliance with this University policy. They must also ensure that those to whom responsibility for procurement has been delegated exercise this duty in compliance with this policy. In the event of significant or continued instances of non-compliance, the Procurement & Contracts Office (PCO) will review the issues with the budget holder and agree an action plan that will ensure future compliance. Persistent and wilful non-compliance will be reported to the relevant UMT member.

The University will develop and implement any such policies, procedures, and controls required to enable maximum compliance by all staff to legal, government, and internal policy requirements. This will be supported through a programme of staff training to enable all staff to meet their obligations.

7. Miscellaneous Costs

From time to time, circumstances may arise when formal compliance with this procurement policy is not possible. In such rare circumstances, staff may be reimbursed for reasonable University business related costs incurred privately by them in the performance of their University duties in compliance with QA330 Policy for claiming reimbursement of miscellaneous costs incurred privately by Staff [non-T&S costs]. The University should suffer no financial disadvantage by this purchase.

Sample goods/services purchased and paid for by University staff for university business purposes which may be reimbursed by 'on line' claim:

- a) Low value incidental costs associated with emergencies e.g. doctor's fees or first aid costs incurred on field trips;
- b) Low value gifts for (non-staff) students or visitors undertaking university related work on a 'pro bono' basis;
- c) Internet subscriptions required for delivery of University programmes or research where the supplier refuses to accept a University Purchase Order;
- d) Professional subscriptions that are allowable under Revenue regulations, where the relevant professional body refuse the University's invitation to become an official supplier, for payment on foot a University Purchase Order and their subsequent invoice;

8. Aggregation

The aggregate total value of different contracts for the same category of goods, services or works are treated as a single amount for the purpose of procurement. Aggregation can occur at a number of different levels—nationally, sectorally, cross-sectorally, regionally, or at an organisational level.

An important consideration in relation to aggregation is where the Budget Holder has a ‘line of sight’ of the expenditure in question i.e. there has been historical expenditure and there is an ongoing requirement.

Budget holders whose individual expenditures contribute to an overall aggregated University spend close to the tendering threshold, must contribute resources, in terms of time and effort, towards the tendering process and establishing a contract. The PCO will ensure that the effort required to be invested by budget holders will be equitably shared.

Where staff in particular units are considered subject matter experts on specific categories of expenditure, which, when aggregated, reach tendering threshold values, then (even if their own levels of expenditure in said specific categories is minimal), they will assume leadership of the procurement tendering project and the contract management, supported by other units with expenditure in the same category. The team will be guided by the PCO on the overall procurement strategy.

Procurement thresholds, as detailed in [Appendix 6: Procurement Thresholds](#), apply to the aggregate (total) value of all requirements for the purchase, lease, rental or hire of goods and services of a similar type.

In judging whether goods or services or works are ‘of a similar type’, reference should be made to the Procurement Coding directory and consideration should be given to whether those goods or services or works would normally be ordered together and/or from the same suppliers.

Aggregate values may be calculated as follows:

- the estimated value of separate contracts of goods or services or works to meet a single requirement (e.g. purchase of cleaning services); or
- the total value of goods, services or works purchased during the last financial year; or
- the estimated total value of all contracts/orders expected to be placed in the next financial year, or during the term of the contract if that is longer; or
- where contracts have no definite duration, in this case the value is calculated as 48 x the monthly value.

NUI Galway will proactively participate in the development of contracts arising from aggregate expenditure nationally, across, or within, the higher education sector, or at a regional level, as directed by government policy.

9. Procurement Exemptions

Procurement exemptions can only be used in a rare, infrequent and limited number of narrowly defined circumstances. [Article 32 of Directive 2014/24/EU](#) on public procurement (goods, services and works) sets out an exhaustive list of limited circumstances. The absence of a call for competition is a departure from the core principles of openness, transparency and competition and as such is a very exceptional procedure. It should be noted that circumstances set out in [Article 32 of Directive 2014/24/EU](#) are strictly interpreted by the Commission and the Courts. Where one of these exemptions is invoked, the University must be able to justify the use of the exemption. It is important that there is an audit trail including, where relevant, why the Open and Restricted Procedures were not considered appropriate.

The process may be used only in exceptional circumstances as it permits a purchase without running an open and competitive quotation or tender process. This must be approved by PCO in advance of purchase(s) being undertaken. Budget holders who undertake the Sole Source process will justify their derogation from competitive procurement processes to the PCO and to internal and external auditors, as required.

Units that seek to utilise a procurement exemption must still ensure that a relevant RFQ process is undertaken (albeit with one supplier) to ensure that the supplier has the legal, professional and organisational standing to deliver the goods and services outlined.

10. Requirement for Purchase Orders

Purchase Orders facilitate budgetary control by ring-fencing committed expenditure. The processing of Purchase Orders through Agresso is a requirement for all purchases (irrespective of value) with the noted exception of the categories of expenditure listed in [Appendix 8: Purchase Order Exemptions](#).

Financial Accounting will not process payments in respect of purchases for which Purchase Orders have not been issued, with the exception of those exempted.

11. Multi-annual Procurement Plan (MAPP)

Each year, aligned with the process of forecasting and preparation of budgets, budget holders are required to identify planned expenditures that exceed threshold values, and set out their plans for how they will expend their budgets on goods, services, and works, in accordance with the Procurement Policy.

Each UMT member is required to coordinate and submit multi-annual procurement plans for their areas of responsibility to the Procurement & Contracts Office by 30th September annually. The PCO will compile the University's overall Multi-year Annual Procurement Plan and submit it to the HEA and EPS by the annual deadline.

12. Training and Access to Systems

It is the responsibility of Budget holders to ensure that all staff procuring goods or services or works using funds from the budget(s) under their control do so in compliance with this Policy.

The PCO will make available the appropriate training to support compliance in this area. Budget holders are required to ensure that staff attend training appropriate to the procurement activities and responsibilities that they assume, as outlined in the Table below. It is important to note that, in order for the University to meet its obligations, access to the University's financial system and involvement in procurement activities will be permitted to staff only when the appropriate level of training has been received by them.

Procurement Activity	Mandatory training	Who needs to attend?	Course content	Frequency of training
Requisitioning Purchasing & Mini-competitions	Foundation, Quotations & Mini-competitions (Pods 1 -6)	All staff involved in any aspect of procurement and/or purchasing. Budget holders. Heads of Units. Staff involved in seeking quotations. Staff involved in purchasing from centralised Framework Agreements. Budget holders and/or nominees.	Procurement Policy. Step-by-step procurement processes. How to seek, evaluate, and award quotations. Distinguish between mini-competitions and quotations.	Every 3 years, or in line with regulatory changes.
Tendering	Tendering (National and EU)	Budget holders and their nominees, whose expenditures exceed tendering thresholds. Members of Tendering Evaluation Groups.	Understanding a full tendering procedure. Distinguish between National and EU tenders.	Every 3 years, or in line with regulatory changes.

13. Supply Chain Resilience

As part of the University's commitment to developing its organisational resilience, and to mitigating the loss of goods and services that support its critical academic, research, and support functions, it will incorporate measures into its procurement processes and procedures to evaluate the effectiveness of its critical suppliers' business continuity arrangements.

14. Contract Management

Contracts are agreements that are legally enforceable regardless of the document title, and include (but are not limited to) bonds, memoranda of agreement, binding memorandums of understanding, licences, letters of agreement, deeds of renunciation, letters of acceptance and letters of intent. The University must have a contract with suppliers to provide goods or services. The University's standard Purchase Order T&Cs will apply to all goods and services or until such time that a contract is signed. The basis of any agreement shall be the NUI Galway / OGP / EPS standard legal agreements as adjusted to take account of the nature of the particular service. The contract terms should be appropriate for the University's needs and nature of the service. The contract should enable the establishment of good working relationships, the investment (by both parties) of resources in delivering best in class goods or services in as efficient a way as possible.

Employees of the University are not authorised to bind the University to contracts unless they have been delegated that authority pursuant to the University's Signing Authority and Approval Policy.

Contracts should be kept in a safe secure location by the area responsible for the safekeeping. A schedule should be kept of the contracts held by the responsible area and the schedule should be reviewed regularly. An electronic copy of the contract should be kept. Only those who are authorised to access or view the contract should access the relevant contract.

It is the responsibility of the budget holder or Subject Matter Expert procuring the goods or service to ensure appropriate supplier management processes are in place. In some cases this may mean monthly meetings and in others it could be an annual or end of assignment review. At a minimum, the University expects that key suppliers are met and reviewed at least bi-annually or more often as required.

15. Sustainable Procurement

The University is committed to working with the relevant Government agencies to develop green procurement criteria that will be used where relevant when tendering for goods, services and works. NUI Galway will incorporate the use of Green Procurement practices in our processes and procedures, in an effort to reduce our environmental impact in conjunction with the Community University Sustainability Programme (CUSP). Green Procurement practices are procurement competitions that seek to procure goods, services and works with a reduced environmental impact throughout their life cycle when compared to goods, services and works with the same primary function that would otherwise be procured.

The appropriateness of including sustainable and social considerations needs to be examined

on a contract by contract basis and each Unit has sufficient flexibility to decide what, how, and when sustainable and social considerations can be used. Units have the option to take sustainable and social considerations into account provided the fundamental EU Treaty principles are respected.

In incorporating sustainable and social considerations into tenders, Units need to ensure that:

- the sustainable and social consideration does not result in discrimination,
- sustainable and social considerations are linked to the subject matter of the contract,
- value for money is maintained to ensure sustainable delivery of services,
- the objective of the sustainable and social consideration is proportionate to the contract,
- the targeted benefit is capable of being measured and monitored during the execution of the contract (the necessary staffing, arrangements and resources should be allocated to this task having regard to the principle of proportionality), and
- the clauses do not negatively impact on the SME sector.

The decision by a unit to factor in sustainable and social considerations should be clearly signalled from the outset and at all relevant stages of the procurement process from business case and specification stages through to the selection, award and contract management stages. Care must also be taken to ensure that legal requirements are addressed when planning a particular procurement as failure to adequately account for the impact of the relevant policy, circular or legislation can lead to additional costs and burdens later on

Appendix 1: Document & Version Control

Document Control

Document Name:	Procurement Policy
Version Reference:	2.1
Document Owner:	Chief Operations Officer
Approved by:	UMT
Date:	Nov 2020

Version Control

Version Number	Date issued	Author	Approver	Updated Information
2.1	Nov 20	PCO	UMT	<ul style="list-style-type: none"> • Para 7: Miscellaneous Costs added • Para 9: Updated & Renamed Procurement Exemptions • Para 14: Contract Management added • App1: Version Control added • App2: Updated Roles & Responsibilities • App5: Procurement Checks added • App7: Procurement Model added

Appendix 2: Roles & Responsibilities

Role	Responsibilities
Bursar	<ul style="list-style-type: none"> The Bursar is responsible for the overall financial planning and financial management of the University.
Chief Operating Officer	<ul style="list-style-type: none"> The Chief Operating Officer is the UMT Leader with responsibility for the Procurement & Contracts function of the University and oversees compliance with this Policy.
University Management Team	<ul style="list-style-type: none"> The University Management Team (UMT) members are accountable for budget allocation and for ensuring that budgets within their areas of responsibility are spent in compliance with this Policy. UMT members are responsible for coordinating and submitting, to the PCO by 30th September annually, procurement plans for their areas/units of responsibility, which align with the budgeting process.
Internal Audit & Risk Management	<ul style="list-style-type: none"> The Internal Audit and Risk Management function is responsible for giving assurance to Údarás na hOllscoile, through the Audit Committee, on the adequacy of the arrangements for systems of internal control, results reporting, risk management, compliance, governance, and arrangements for securing economy, efficiency and effectiveness.
Heads of School / College / Research Centres / Support & Professional Units	<ul style="list-style-type: none"> Heads of academic, research, and support units have overall responsibility for procurement compliance in their units and are required to ensure that their reporting budget holders, and nominees, undertake all procurements in compliance with this Policy.
Head of Compliance	<ul style="list-style-type: none"> The Head of Compliance is responsible for manage and assessing compliance with this policy. The Head of Compliance will also provide details of non-compliance to the relevant UMT member annually. The Head of Compliance also supports internal and external procurement audits, including the University’s annual C&AG audit.

PCO	<ul style="list-style-type: none"> • The PCO is responsible for developing the University’s procurement policy, procedures and processes, based on relevant Government Policy, EU Directives etc., and for monitoring compliance to the Procurement Policy and procedures. • It is responsible for designing, and delivering (where applicable) or making available, procurement training for all staff involved in purchasing / procurement activities and those with responsibilities arising from this Procurement Policy. • The PCO coordinates the tendering of “non-works” contracts >€25k. • It reviews and analyses expenditure to identify common categories of spends that result in aggregation, and identifies Budget Holders, or their nominees, or subject matter experts to lead, or assist with, the required tendering procedure. • PCO prepares and conducts Procurement Checks as per Appendix 5. • In compliance with regulatory obligations, the PCO coordinates and submits the Multi-Annual Procurement Plan (MAPP) and the Corporate Procurement Plan (CPP). • It supports internal and external procurement audits, including the University’s annual C&AG audit.
Delegated Procurement Units	<ul style="list-style-type: none"> • Ensure goods and services are procured in compliance with this Policy. • Ensure all staff to whom they delegate responsibility for procurement are appropriately trained and undertake procurement activities and responsibilities in compliance with this Policy. • Ensure supplier relationships are managed, ongoing monitoring of contracts that they have lead is conducted, and formal reviews of contract performance are undertaken, to ensure agreed service and performance levels are delivered, and that agreed rates are being applied by suppliers. • Ensure documentation relevant to each purchase is developed, maintained, and stored appropriately (as per Appendix 4). Budget holders may be required to provide such documentation to auditors, to demonstrate compliance. • Support, cooperate with, and be accountable to internal and

	<p>external auditors in relation to procurements made from their budget(s).</p> <ul style="list-style-type: none"> • Prepare and maintain documentary evidence as to why a supplier should be classified as a ‘Sole Source’ supplier to justify their derogation from competitive procurement processes.
Requisitioner	<ul style="list-style-type: none"> • Requisitioners are required to undertake all requisitions and purchases in full compliance with this Policy. • They are required to undertake mandatory procurement training relevant to the procurement activities and responsibilities that they assume, as required by this Policy. • Requisitioners develop, maintain, and store securely the Required Documentation Set, in accordance with Appendix 4 of this Policy, and fully cooperate with internal and external audits, providing responses and documentation, as required, by given deadlines.
Budget Holders	<p>All budget holders are responsible for ensuring that:</p> <ul style="list-style-type: none"> • All goods and services are procured from their budgets in compliance with this Policy. • All staff to whom they delegate responsibility for procurement are appropriately trained and undertake procurement activities and responsibilities in compliance with this Policy. • A multi-annual procurement plan is prepared in respect of planned expenditure in line with the budget preparation process. This plan will be submitted to the relevant UMT member for onward forwarding to the PCO by 30 September annually, to form part of the University’s Multi-Annual Procurement Plan. • Supplier relationships are managed, ongoing monitoring of contracts that they have lead is conducted, and formal reviews of contract performance are undertaken, to ensure agreed service and performance levels are delivered, and that agreed rates are being applied by suppliers. • They commit resources, in terms of time and effort, towards the tendering processes undertaken to manage aggregated expenditure. • The develop, maintain and store appropriate documentation relevant to each purchase (as per Appendix 4). Budget holders may be required to provide such documentation to auditors to

	<p>demonstrate compliance.</p> <ul style="list-style-type: none">• They support the University’s category management approach to procurement by raising purchase requisitions on Agresso, and applying accurate product codes to purchases.• They support, cooperate with, and are accountable to internal and external auditors in relation to procurements made from their budget(s).• They provide documentary evidence as to why a supplier should be classified as a ‘Sole Source’ supplier to justify their derogation from competitive procurement processes.• The advice of the Procurement & Contracts Office is sought, as required, on all procurement matters and in respect of using the national procurement model and agreed national frameworks, where relevant.
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Appendix 3: Regulatory Framework

NUI Galway operates under the [National Public Procurement Policy Framework](#), which sets out the overarching policy framework for public procurement in Ireland. It consists of the following strands:

Legislation:

[Public Service Management Act](#)

EU Procurement Directives, including:

- [Directive 2014/24/EU on public procurement \(goods, services and works\)](#)
- [Directive 2014/23/EU on the award of Concession contracts](#)

Irish Regulations implementing EU Procurement Directives:

- [S.I. No. 284/2016](#) (the “2016 Regulations”);
- [S.I. No. 286/2016](#) (the “2016 Utilities Regulations”) and
- [S.I. No. 203/2017](#) (the “2017 Concessions Regulations”).

Remedies Directives, including:

- [Directive 89/665/EEC](#) Review Procedures for Public Contracts
- [Directive 2007/66/EC](#) Amending Directive to 89/665/EC and 92/13/EC
- [Directive 2014/23/EU](#)
 - Article 46 Amending Directive updating application of Review Procedures to the Procurement regimes covering Directive 2014/24/EU and 2014/23/EU – Public Contracts and Concession Contracts

National Remedies Regulations:

- [S.I. No. 130 of 2010](#) European Communities (Public Authorities' Contracts) (Review Procedures) Regulations 2010
- [S.I. No. 192 of 2015](#) European Communities (Public Authorities' Contracts) (Review Procedures) (Amendment) Regulations 2015
- [S.I. No. 326 of 2017](#) EU Award of Concession Contracts (Review Procedures) Regulations 2017
- [S.I. No. 327 of 2017](#) EU Public Authorities' Contracts (Review Procedures) (Amendment) Regulations 2017

Government Policy on Procurement

- [Circular 13/13: Public Spending Code](#)
- [Corporate Governance Standard for the Civil Service](#)
- [Code of Practice for the Governance of State Bodies](#)
- [FOI Code of Practice for Public Bodies](#)
- [Freedom of Information Model Publication Scheme](#)
- [Circular 20/2019: Promoting the use of Environmental and Social Considerations in Public Procurement](#)
- [Circular 10/2014: Initiatives to assist SMEs in Public Procurement](#)
- [Circular 16/2013: Revision of arrangements concerning the use of Central Contracts put in place by the National Procurement Service](#)
- [Circular 40/2002: Public Procurement Guidelines - revision of existing procedures for approval of certain contracts in the Central Government sector](#)
- [Circular 05/2013: Procurement of Legal Services and Managing Legal Costs](#)
- [Capital Works Management Framework for Public Works](#)
- [Construction Procurement Circulars](#)

General Procurement Guidelines for Goods and Services

More detailed technical guidelines, template documentation and information notes as issued periodically by the Policy Unit of the Office of Government Procurement (OGP).

Also of relevance:

- [Prompt Payment of Accounts Act, 1997](#)
- [General Data Protection Regulation \(GDPR\)](#) [See also [OGP Information Note on GDPR](#)]

Appendix 4: Required Documentation Set

The Table below sets out the documentation set relevant to each procurement activity that must be developed, maintained, and stored appropriately. Appropriate documentation must also be included on Aggresso to enable the processing of Purchase Orders. Budget holders and Requisitioners may be required to provide such documentation to internal and external auditors, to demonstrate compliance.

Purchases <€25k (Supplies & Services) + <€50k (Works)			
Item No.	Document Type	Maintained by	Notes
1	Request for Quotation Form	Budget Holder / Nominee	Templates available on the PCO website
2	List of suppliers being invited to quote	Budget Holder / Nominee	
3	Evaluation of Quotation (signed)	Budget Holder / Nominee	Templates available on the PCO website
4	Notification to Successful supplier(s)	Budget Holder / Nominee	Templates available on the PCO website
5	Notification to Unsuccessful supplier(s)	Budget Holder / Nominee	Templates available on the PCO website
6	Aggresso Purchase Order	Budget Holder / Nominee	
7	Details of all quotation communications with successful supplier and tenderers about the specific purchase.	Budget Holder / Nominee	

Purchases >€25k (Supplies & Services) + >50k (Works)			
Item No.	Document Type	Maintained by	Notes
1	Tender Initiation Form (TIF) - signed	PCO or Each Devolved Procurement Centre	Template TIF document available on PCO website

2	Purchase Service Request Form PSR (OGP)	PCO or Each Devolved Procurement Centre	
3	All related communication emails around the PSR between OGP and other Sourcing Agencies (e.g. EPS, HSE etc.)	PCO or Each Devolved Procurement Centre	
4	Third Party Funding Letter (if applicable)	PCO or Each Devolved Procurement Centre	
5	FRC approval details (i.e. purchases >€211k)	PCO	
6	Invitation to Tender documentation suite	PCO or Each Devolved Procurement Centre	
7	eTenders Notices and all clarifications issued during advertisement period	PCO or Each Devolved Procurement Centre	
8	Article 84 Report	PCO or Each Devolved Procurement Centre	
9	Record of Tender Opening	PCO or Each Devolved Procurement Centre	
10	All Tender Response documents submitted by Suppliers	PCO or Each Devolved Procurement Centre	
11	Signed Tender Evaluation Report including evaluation of both Eligibility and Tender Award	PCO or Each Devolved Procurement Centre	

	Criteria		
12	All notification Letters (standstill, regret and award letters)	PCO or Each Devolved Procurement Centre	
13	eTenders Contract Award Notice		
14	The signed Contract Document	Budget Holder	Template document available on PCO website to be agreed and signed by the Budget Holder / Contract Owner.
15	Framework Agreements - all correspondence in relation to each individual drawdown i.e. Drawdown documents, POs, invoices	Budget Holder	Where mini competitions are conducted locally - all correspondence should be maintained locally.
16	Project Management Plan where applicable	Budget Holder	
17	Project Meeting Minutes	Budget Holder	
18	All Agresso Purchase Orders under this specific contract	Budget Holder	
19	All invoices and payment details for this specific contract	Budget Holder	
20	All Goods / Services Received Notes	Budget Holder	
21	All Correspondence with the awarded supplier	Budget Holder	
22	Any reports prepared by Third Parties specifically related to this purchase/project	Budget Holder	

Appendix 5: Procurement Checks

1. Procurement check >€25k

- **Purpose of the Check**

NUI Galway has a Procurement Policy that provides a framework for best procurement practice and ensure alignment with the OGP's National Public Procurement Policy. This process is checking for failures of the University to comply with the OGP's National Public Procurement Policy Framework for aggregated spend >€25k. The check is intended to identify procurement non-compliance or spend that is at risk of becoming non-compliant and identify spend that need to be rectified.

- **Risk the Check is mitigating**

This processing is checking for failures of the University to comply with the OGP's National Public Procurement Policy Framework. There is a risk that the University might conduct procurement activity that is not aligned to the OGP's National Public Procurement Policy Framework and result in sustained non-compliance that could adversely affect the University's reputation and could result in comments in relevant inspections/reports or sanctions that have the potential to affect University Operations.

- **Owner**

The Head of Compliance

- **Frequency of the Check**

The check will be conducted at the following intervals;

- 6 months
- 9 months
- Financial year end

- **Description of the Check**

At the end of 6 & 9 months, the PCO will generate a transaction list as follows;

- aggregated spend >€12.5k per supplier for 6 months,
- aggregated spend >€18.75k per supplier for 9 months, and
- aggregated spend >€25k per supplier at financial year end.

These transactions will be reviewed by the Head of PCO to determine spend that is not under contract. Where spend is not under contract, the PCO will request further information

from the relevant budget holder(s) on the procurement process undertaken for each spend.

2. Procurement check <€25k

- **Purpose of the Check**

NUI Galway has a Procurement Policy that provides a framework for best procurement practice and ensure alignment with the OGP's National Public Procurement Policy. This process is checking for failures of the University to comply with the OGP's National Public Procurement Policy Framework for spend <€25k. The check is intended to identify procurement non-compliance or spend that is at risk of becoming non-compliant and identify spend that need to be rectified.

- **Risk the Check is mitigating**

This processing is checking for failures of the University to comply with the OGP's National Public Procurement Policy Framework. There is a risk that the University might conduct procurement activity that is not aligned to the OGP's National Public Procurement Policy Framework and result in sustained non-compliance that could adversely affect the University's reputation and could result in comments in relevant inspections/reports or sanctions that have the potential to affect University Operations.

- **Owner**

The Head of Compliance

- **Frequency of the Check**

- Monthly

- **Description of the Check**

At the end of each month, the PCO will generate a transaction list of spend <€25k for that month and forward the list to the Head of Compliance. The Head of Compliance will select 10 transactions at random to determine if that spend is compliant with this Procurement Policy.

Appendix 6: Procurement Thresholds

The National and EU Procurement thresholds for advertising and the procurement procedures to be used are set out below. Where Grant Recipients are required to comply with public procurement procedures, it should be noted that the funding body may require additional conditions and this is a matter for the funding body to inform the applicant of same.

Where a Centralised Contract or a Framework Agreement exists for the required goods / services / works-related categories of expenditure, the instructions on ‘How to Avail of this Contract’, outlined by the [Procurement & Contracts Office](#) should be followed.

The thresholds mentioned below relate to expenditure where no current contract is in existence.

Contract Type	Estimated Value of Procurement (exclusive of VAT)	Procurement Procedure required	Required Approval	Guidance
Supplies or General Services	Less than €5,000	Seek Written Quotes from a minimum of 1 or more genuine and competent participant(s) of supplies / service providers.	PO and invoice approved by Budget holder or designated nominee.	See Public Procurement Guidelines for Goods and Services
	Greater than €5,000 and less than €25,000	Seek Written Quotes from a minimum of 3 genuine and competent participants of supplies / services providers.	PO and invoice approved by Budget holder or designated nominee.	See Public Procurement Guidelines for Goods and Services
	Greater than €25,000 – and less than the EU Threshold	Publish a national tendering competition on eTenders using the Open or Restricted Procedure.	Tender Initiation Form required to be signed by Budget Holder and nominee PO / invoice Approval <€100k =	See Public Procurement Guidelines for Goods and Services

			Budget holder or nominee. PO / invoice Approval >€100k = Budget Holder <u>and</u> relevant UMT Member (or Bursar).	
	>EU Threshold	EU Tendering Procedure – advertisement on eTenders and OJEU is required.	FRC Approval required at both pre-tender and award of contract stage. PO / invoice approval: Budget Holder, Bursar <u>and</u> relevant UMT member.	See Public Procurement Guidelines for Goods and Services
Contract Type	Estimated Value of Procurement (exclusive of VAT)	Procurement Procedure required	Required Approval	Guidance
Works	Less than €50,000	Direct Invitation Seek a minimum of 5 Written Tenders from interested, genuine and competent contractors.	PO and invoice approved by Budget holder or designated nominee.	See Section 3.2 ‘Advertising and Timeframes for the Tender’ of GN 2.3 – Procurement Process for Works Contractors

	€50,000- €250,000	Open Procedure Publish Contract Notice on <u>eTenders</u>	PO and invoice approved by Budget holder or designated nominee. Tender Initiation Form required to be signed by Budget Holder <u>and</u> nominee	See Section 3.2 'Advertising and Timeframes for the Tender' of GN 2.3 – Procurement Process for Works Contractors
	€250,000 – EU Threshold	Open or Restricted Procedure Publish Contract Notice on <u>eTenders</u>	Tender Initiation Form required to be signed by Budget Holder <u>and</u> nominee PO / invoice Approval <€100k =Budget holder or nominee. PO / invoice Approval >€100k = Budget Holder <u>and</u> relevant UMT Member (<u>or</u> Bursar).	See Section 3.2 'Advertising and Timeframes for the Tender' of GN 2.3 - Procurement Process for Works Contractors

	>EU Threshold	EU Tendering Procedure – advertised through OJEU is required.	FRC Approval required at both pre-tender and acceptance of tenders stages. PO/invoice approval: Budget Holder, Bursar <u>and</u> relevant UMT member.	
Works Related Services	Less than €50,000	Direct Invitation Seek a minimum of 5 Written Tenders from interested, genuine and competent consultants.	PO and invoice approved by Budget holder or designated nominee.	See GN 1.6 – Procurement Process for Consultancy Services (Technical)
	€50,000-€250,000	Open Procedure Publish Contact Notice on eTenders	PO and invoice approved by Budget holder or designated nominee.	See GN 1.6 – Procurement Process for Consultancy Services (Technical)

Thresholds (exclusive of VAT) above which advertising of contracts in the Official Journal of the EU is obligatory.

Budget Holders should ascertain the correct rate of VAT applicable and account for it in the budget amount available for the purchase

All procurement thresholds are exclusive of VAT. Above the EU threshold, advertisements are obligatory in the Official Journal of the EU. The thresholds are revised bi-annually and those mentioned below applicable from 1st January 2020 (until 31st December 2021).

The main advertising EU thresholds with effect from **1st January 2020** are as follows:

Works - €5,350,000

Government Departments and Offices, Local and Regional Authorities and public bodies

Supplies and Services

€214,000 – Public Bodies

Annex XIV of EU directive 2014/24/EU

€750,000

Appendix 7: Procurement Model

NUI Galway operates a decentralised model of procurement that takes account of a cross-functional approach for commonly purchased supplies/services that is all covered under the umbrella and supported by NUI Galway's procurement policies, procedures and processes. The PCO provides support to NUI Galway staff in the delivery of a range of procurement activities and ensuring compliance with the relevant policies.

The University operates a devolved approach with designated Centres of Excellence being created where it was appropriate to do so. The Devolvment model comprises 3 tiers.

Tier 1

Tier 1 status allows for complete autonomy in procurement activities, with a reporting role to the Head of Procurement & Contracts. Tier 1 Centres of Procurement take on full responsibility and accountability for all of their tendering activities and their compliance with internal policies, procedures, in addition to all EU Legislation and National Government Policy surrounding public procurement.

Minimum Requirements for Tier 1 designation are that the Devolved Centre of Procurement has a nominated individual or group of individuals that have completed, at a minimum, the Certificate in Public Procurement, NFQ Level 6 (Special Purpose award), run by the IPA and accredited by University College Dublin or an equivalent accredited procurement qualification, and that said individual(s) have experience in public sector tendering.

Continuous professional development (at the Centre's own cost) is required by the nominated individual in the form of attendance at a minimum of one annual procurement conference and also a minimum of three days per year attendance at relevant 3rd party workshops/training.

Full "write" access is granted to Tier 1 Procurement Centres for ACCORD (Procurement Database System) and eTenders systems. The Tier 1 Centre of Procurement will maintain both systems and ensure that they are up to date.

The Tier 1 Centre of Procurement will be required to attend meetings with the Head of Procurement and Contracts on a bi-annual basis.

Tier 2

Tier 2 status allows for a limited level of autonomy to be devolved to the Centre of Procurement. Each such Centre requires one nominated individual to become the first point of contact within the Centre, in order that all procurement related matters/queries can be dealt with within their own Centres initially, in order to promote efficiency. The PCO will then assist the nominated individual with all tendering activities, and where necessary, with any queries unresolved by the procurement nominee. The Tier 2 Centre of Procurement will be provided with rights access to NUI Galway's Contracts Database System in order for them to manage their own tendering and contract activities,

with only a number touch points between the Centre and the PCO that will require the PCO to review and provide guidance on final formal documents utilised during the tendering process.

Minimum Requirements for Tier 2 designation is that the Centre of Procurement has at least 1 nominated individual who has completed all in-house procurement training, and at a minimum the Greenville Procurement Partners 2-day “Understanding European Public Procurement Rules” course, or equivalent training, and who will act as the first point of contact for procurement related queries and tendering within his/her own centre.

Continuous professional development (at the Centre’s own cost) is required by the nominated individual in the form of attendance at a minimum of one annual procurement conference and also a minimum of two days per year attendance at relevant 3rd party workshops/training.

Limited “write” access is granted to Tier 2 Procurement Centres for ACCORD (Procurement Database System) and “read” access to the eTenders system. The Tier 2 Centre of Procurement will maintain the ACCORD system and ensure that it up to date.

The Tier 2 Centre of Procurement will be required to attend meetings with the Head of Procurement and Contracts on a bi-annual basis.

Tier 3

Tier 3 status Centres of Procurement are heavily supported by the PCO. Each such Centre requires one nominated individual to become the first point of contact within the Centre, in order that all procurement related matters/queries can be dealt with within their own Centres initially, in order to promote efficiency. The PCO will then assist the nominated individual with all tendering activities, and where necessary, with any queries unresolved by the procurement nominee.

Minimum Requirements for Tier 3 designation are that each Centre of Procurement has at least one nominated individual who has completed all in-house procurement training, and who will act as the first point of contact for procurement related queries within his/her centre. The nominated individual will also act as a liaison between the budget holder and the PCO throughout all procurement projects.

The PCO will issue a communication to all Tier 3 Centres of Procurement at the start of each Financial Year reminding them of the applicable University policies and procedures.

Appendix 8: Purchase Order Exemption

The procurement of some goods and services are exempt from the requirement to issue a Purchase Order. Examples include:

- Travel for staff and non-staff expenses which is governed by the NUI Galway Travel Policy
- Club Travel bookings
- Utilities
- Telephone: Fixed Line and Monthly Mobile Bills
- Banking services
- Catering services provided by the University's onsite catering service providers including Water Coolers
- Temporary recruitment of staff e.g. ICE, CPL
- An Post – Postage charges
- Courier Services
- Taxis for meetings not related to Travel
- Motor Tax
- Arts in Action Performers
- External examiners and Quality Assurance Reviewers
- Recruitment/Job Candidate Expenses/Relocation
- Erasmus Payments
- Awards/scholarships
- Commission Invoices re Student Recruitment
- Professional Subscriptions
- All purchases in accordance with QA330 Policy for claiming reimbursement of miscellaneous costs incurred privately by Staff [non-T&S costs]