

Procurement Policy

Higher Education Authority

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Policy Statement

The Higher Education Authority (HEA) as a publicly funded body is required to ensure that they comply with legislation, EU Directives/Regulations and government circulars and policy in relation to public procurement.

The HEA will always seek to secure value for money when procuring goods and services. Procurement will be fair and transparent and there will be equal opportunity for all suppliers to compete. The purchase of goods and services must be authorised in accordance with pre-determined approval limits.

The HEA's procurement policy aims to put control and responsibility as close to the point of need. This is underpinned by centrally provided accounting and procurement functions which provide both advice and support to Section's procurement activities.

The HEA supports 'green' procurement and seeks to source goods, services and works with a reduced environmental impact where possible.

Staff involved in procurement must adhere to these requirements. The HEA purchasing procedures and [OGP guidelines](#) detail the steps required to carry out compliant procurement.

The Office of Government Procurement (OGP)

The Office of Government Procurement (OGP) is the central body for public procurement. The OGP has responsibility for procurement policy and procedures for the public sector. The OGP has put in place frameworks and contracts for common goods and services aimed at reducing the time and cost associated with procurement by offering facilities that have already been competitively and compliantly tendered. The HEA will, where possible, make use of all such central arrangements unless there is justification for not doing so.

Conflicts of Interest

If a staff member involved in a procurement believes they may have a conflict of interest they should notify their manager. Staff involved in the evaluation of tenders must sign a No Conflict Declaration prior to the evaluation. A conflict of Interest includes any situation where a relevant staff member has directly or indirectly a financial, economic or other personal interest which might be perceived to compromise his or her impartiality and independence in the context of a procurement process. Staff should also have regard to the principles set out in the Framework for a Code of Business Conduct available on the staff intranet pages.

Purchasing Thresholds

- **Below EU Threshold**

Threshold (exclusive of VAT)	Procedure
Less than €5,000	At least 1 written quotation
€5,000 - €25,000	At least 3 written quotations
Over €25,000	A tender should be published on www.etenders.gov.ie . Tenders with value in excess of EU threshold should also be published on OJEU. Note that the EU threshold changes from time to time.

In very limited circumstances procurement may be made without recourse to normal tendering procedures subject to advance approval by the CEO, the sole supplier form available on the staff intranet must be completed.

Joint tendering

The HEA may engage in joint tendering with the other public bodies.

Procurement legislation/circulars

A full list of procurement related legislation, circulars and guidance is included in the [OGP guidelines](#).

The key items relating to the HEA are as follows:

- ICT Circular 02/16: Arrangements for Digital and ICT-related Expenditure in the Civil and Public Service
- Construction Capital Works Management Framework
- Legal Services Circular 05/13: Procurement of Legal Services and Managing Legal Costs
- Consultancy Guidelines for the engagement of consultants and other external support by the civil service
- SMEs Initiatives to Assist SMEs in Public Procurement

Corporate Procurement Plan

The Corporate Procurement Plan is available on the Purchasing Procedures intranet page.

Purchase Orders

A purchase order must be raised prior to making a purchase for all items with a few exceptions including utilities and some regular ongoing expenses. The Purchase Order Requisition Form is available on this link. This should be signed as per the agreed approval levels.

Contracts

Where a contract is required as part of procurement it must be signed by the Section Head.

Procurement Officer

The HEA has a procurement officer in accordance with requirement of Department of Finance Circular 40/02. The procurement officer will:

- Assist staff with procurement queries
- Maintain a contracts register
- Keep a record of all documentation relating to procurements
- Monitor compliance with this policy
- Report any non-competitive procurement in excess of €25,000 ex. VAT to the Audit and Risk Committee

Reporting

The HEA will report to the Comptroller and Auditor General and the Policy Unit of the OGP on any contracts above €25,000 (ex.VAT) awarded without a competitive process as required by Circular [40/02](#).

Advertising

All contracts with a value of €25,000 or above must be advertised on the Irish Government tendering portal www.etenders.gov.ie

Freedom of Information

In accordance with the requirements of [Freedom of Information](#) legislation and the [Model Publication Scheme](#) the HEA will publish the following on its website:

- Procurement policy
- A link to all current tender competitions on the eTenders website. Details of current tender competitions over €25,000 are available on www.etenders.gov.ie
- Public contracts awarded including contract type, contractor, value, award date, duration and brief description (tabular format) for over €25k contracts.

Tax Clearance Certificates

Suppliers who receive payments from HEA in excess of €10,000 will need a valid tax clearance certificate.