

West of England Green Business Grants Procurement Guidance v2

If your company is awarded grant, your procurement process for the project must be in line with the National Rules set out below (taken from '[ESIF National Procurement Requirements](#)' (ESIF-GN-1-001)).



The threshold amounts apply to the total value of the contract (excluding VAT), not just the grant amount awarded.

Value of contract thresholds	Minimum procedure	Advertising required
£0-£25,000	Direct award is allowable; however, WECA recommends that you always seek three quotes and consider the use of local suppliers, where appropriate.	None.
£25,000 - £181,302 (services) and £4,551,413 (works)	<p>The advert needs to incorporate or direct any interested party to the following information:</p> <ul style="list-style-type: none"> • details of the opportunity; • what is required from all interested parties; • how the successful candidate will be chosen; • deadline and details of how to apply. <p>Justification will also be required to demonstrate that the contract award is in line with the advert.</p>	Advertise the opportunity on WECA's/or other appropriate website for a minimum of 10 days.
£25,000 - £181,302 (supplies)	3 written quotes or prices sought from relevant suppliers against a clear specification.	None.

	Justification that a reasonable decision has been made on the basis of the quotes/prices.	
Over £181,302 (services and supplies) and £4,551,413 (works).	<p>The advert needs to incorporate or direct any interested party to the following information:</p> <ul style="list-style-type: none"> • details of the opportunity; • what is required from all interested parties; • how the successful candidate will be chosen; • deadline and details of how to apply. <p>Adhere to the 'Guidance on Identifying, Managing and Monitoring Conflicts of Interest within ERDF and ESF' and submit a declaration to WECA (this is part of the Grant Offer Letter).</p> <p>Impartially assess each bid against the same criteria and demonstrate this through the use of a score/evaluation sheet; and provide evidence to demonstrate that the winning bidder has been selected on merit - as a minimum this should include a rational behind the decision to award.</p>	Advertise the opportunity on WECA's/or other appropriate website for a minimum of 10 days.

The following practices will not be acceptable under any circumstances.

- Direct awards to linked organisations - for instance, a contract could not be directly awarded to a company where a director is also a director of the grant recipient organisation awarding the contract. Grant recipients should ensure that there is no conflict of interest in all stages of the procurement process. For further information on this please see the '[Guidance on Identifying, Managing and Monitoring Conflicts of Interest with ERDF and ESF](#)' (ESIF-GN-1-027). A signed declaration of conflicts of interests will be required as part of the Grant Offer Letter.
- Discriminatory tender conditions which prevent competition.

- Non-compliance with the thresholds above - including the artificial splitting of contracts.
- Modification of contracts. If the original contract value is below the threshold of £25,000 and an extension of the contract takes the overall above £25,000 the contract must then be advertised in accordance with the threshold for contracts over £25,000.
- Contracts cannot be extended above 50% of their original value.
- Non advertising extension of tender submission deadlines - any extension must be advertised through the same means as the original advertisement.

You must record and retain any relevant documentation and make it available as part of the project audit trail.

WECA reserves the right to recover all grant, in a reasonable and proportionate way, in the event of a breach of the funding agreement (as set out in the Grant Offer Letter).

Activities that constitute a breach are set out below:

- direct awards to linked organisations;
- discriminatory tender conditions;
- non-compliance with the contract value thresholds;
- modification of contracts;
- contracts extended above 50% of original value;
- non-advertising of extensions;
- a lack of audit trail to demonstrate the process followed and decisions taken;
- failure to advertise the opportunity on the grant recipient's website for 10 days (where required);
- failure to adhere to the 'Guidance on Identifying, Managing and Monitoring Conflicts of Interest within ERDF and ESF' and submit a declaration to WECA (where required);
- failure to impartially assess each bid against the same criteria and demonstrate this through use of a score sheet (where required);
- failure to justify grant award based on the advert or price (where required);
- failure to provide evidence to demonstrate that the winning bidder has been selected on merit (where required).