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1. METHOD

1.1. Control of the Procurement Management System Documents


- 1.1.1. The documented Procurement Standards will be accessible to all Translink staff that requires them and they are listed on Sharepoint under Policies and Procedures (<http://sharepoint/Standards/default.aspx>).
- 1.1.2. All documents will be recorded on the Master Contract List on Agresso.
- 1.1.3. The Purchasing Manager will agree and approve both the issue of and any subsequent changes to the Procurement standards.
- 1.1.4. The most current Procurement Standards are held on Sharepoint for all Translink staff to access. When a standard is amended and updated, the revised issue will be placed on Sharepoint.
- 1.1.5. It is the responsibility of the respective Purchasing Department members to ensure that Procedures represent complete and correct methods of operation.
- 1.1.6. Any employee wishing to propose a change to a Procedure will submit the request and justification to the Purchasing Manager.
- 1.1.7. Following amendments the extent of training required to implement the change will be determined.

1.2. Control of External Documents

- 1.2.1. Procurement Standards are updated frequently with legal and guidance updates which have been flowed down from Government. It is the responsibility of each individual within Translink to check that the documents and standards they are using are up-to-date and the current working version prior to use.

1.3. Control of Suppliers Documentation – Confidential Information

- 1.3.1. The Regulations Part 8 Section 41 lay out certain conditions on confidentiality of information which Utilities can use or must conform to. Translink may stipulate that information provided to economic operators during the

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procurement process is restricted and confidential. Translink must however not disclose information that the economic operator has designated as confidential including items which are technical or trade secrets.


- 1.3.2. Translink will at times have copies of supplier documents. These documents must be kept in the relevant project file to ensure traceability and they must be held securely at all times i.e. access must be restricted to Translink employees only unless an alternative instruction has been given & permission has been gained.
- 1.3.3. All copies of supplier's documents are treated as confidential and handled in a way to ensure that they are not lost or become damaged.
- 1.3.4. Documents which contain confidential or commercially sensitive information must be disposed of accordingly to ensure that supplier information which has been provided to Translink is protected.

1.4. **Correspondence / Communications with Project Managers and Requisitioners**

- 1.4.1. Project Managers should be kept apprised by the Purchasing Department of the current procurement position regarding their requirements on a regular basis and the allocated point of contact in the Purchasing Department (normally the Project Advisor) is accountable for this.
- 1.4.2. The Purchasing Department should copy the Project Manager into all correspondence going out from the Purchasing Department relating to their Project. The Project Manager should be consulted as appropriate concerning the contents of correspondence prior to issue to Economic Operators.
- 1.4.3. This proactive action equally applies to those dealing with Requisitioners on the Agresso System. Prompt and regular communications should be provided to Requisitioners, if requested, on the current status of their requirement and any correspondence issued should be copied to the Requisitioner **when this is practical**.

1.5. **Retaining and Maintaining Contracts and all relating documentation**


- 1.5.1. All Master Contracts and records relating to acceptance of the offer of contract must be held securely in the custody of the Purchasing Department.

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- 1.5.2. Once a contract offer has been accepted by the supplier in writing and or the contract is signed by both parties to the contract the contract comes into force. The contract is then a 'live' document which must be maintained and updated with any major changes or amendments.
- 1.5.3. The original Master Contract which has been signed/accepted must be kept securely in the Purchasing Department. Copies of the Contract must be distributed to: The Project Manager / Contract manager if different and the receiver of goods.
- 1.5.4. All subsequent contract changes/amendments made to the Master Contract or major developments in the Project / requirement which may impact the Master Contract must be discussed with the Purchasing Department prior to the change being made. This will ensure that the Master Contracts and relating audit trails are up to date and this process must be used to ensure Translink's risk is limited and the appropriate level of due diligence is maintained.
- 1.5.5. The Master Contracts and all records relating to the contract must be filed in hard and electronic copies.
- 1.5.6. **Hard copy documentation:**
Immediately after a contract is accepted and in force the Master Contract must be held with all the relating contract file records and must be stored in a lockable Fire Proof area in the building e.g. safes or fireproof cabinets within the Purchasing Department. All Master Contracts and relating records must be filed in accordance with the current department file numbering system.
- 1.5.7. **Electronic copies of documentation:**
Immediately after a contract is accepted and in force the Master Contract must be provided to the Purchasing Department in electronic copy. It is important that the format is always in MS Word / Excel. These formats must be used because documents provided that are in other formats such as PDF make contract management virtually impossible as changes and amendments cannot be easily recorded in the electronic master.

All Master Contracts and relating records held electronically must be filed in accordance with the corresponding hard copy numbering.

All electronic copy Master Contracts and relating records must be held within Sharepoint under the Master Contract section and can be found within the Purchasing Home Sharepoint Site at:

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<http://sharepoint/sites/purchasing/Procurement%20Standards/Forms/AllItems.aspx?RootFolder=%2fsites%2fpurchasing%2fProcurement%20Standards%2fMaster%20Contracts&View=%7bE3054B80%2d3C30%2d4BDF%2dA64E%2d869A44E1B61F%7d>

1.5.8. Note: Both hard and electronic copies of Master Contracts and relating records must be maintained concurrently.

1.6. Periods for Retaining Records and Archiving

1.6.1. Records are retained on a continuous basis and provide evidence of:

- a) conformity to requirements.
- b) effective operation of the Procurement Systems
- c) the required quality has been achieved

1.6.2. The retention period for Master Contracts and all relating records is to be a minimum of:


7 Years (in line with the NITHC /Translink Financial Memorandum – Final Version 28/07/2006, Appendix 3, note 5) after the contract / order has been placed for documentation relating to low value orders all other Contracts and contract files (depending on contract length, IPR Rights, exploitation levies etc).

Note: DRD were asked if additional rules may apply to the Translink Purchasing Department in relation to the retention period for records. Bryan Dooley has responded on behalf of DRD on 30th April 2007 stating:

“The recommended period is generally 7 years”

1.6.3. As a consequence to the Financial Memo and the explicit DRD guidance on this issue the Translink Purchasing Department shall retain all Master Contracts and all relating records including the information required under The Utilities Contracts Regulations 2006 Part 8 Section 37, such as information on each contract sufficient to justify decisions in connection with qualification and selection and the award of contracts. The period of 7 years or at the end of the contract (whichever is longer) will be utilised as guidance on the retention of documents and this covers the requirements under the Regulations which stipulates 4 years.

1.6.4. PLEASE NOTE: There may be occasions where DRD stipulate different retention periods, if this is the case DRD must expressly alert the Translink

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Purchasing Department to this extra requirement in order for them to take any necessary action.


- 1.6.5. Annex 1 below provides further guidance on the retention and destruction of contract files.
- 1.6.6. For storage space reasons the records can be archived in a suitable location which ensures that they are protected from damage and / or deterioration and are readily retrievable by way of a document tracking system.
- 1.6.7. When Purchasing Department records are destroyed after the retention period it must be done in a secure manner to prevent disclosure of confidential information.
- 1.6.8. All records shall be legible and identifiable.
- 1.6.9. Records must not be released from the Department or made available to third parties without the permission of the Purchasing Manager or the Director of Finance and any information released must be recorded. The information released must be a copy of the original documents only the originals must not leave the control of the Purchasing Department.

1.7. Statistical records and other reports

- 1.7.1. Part 8 Section 38 of the Regulations requires Translink to annually report on various activities. A principle area that must be tracked and monitored centrally includes the ability to report on particular contract information to the Minister if this is requested.
- 1.7.2. Other Statistics are also required not later than 31st July each year in reference to contracts awarded including the value, principle categories and the nationality of the economic operators. This information should be supplied to DRD and CPD.

2. RELATED DOCUMENTS


- 2.1 Standards TPP106 Contract Award and Debrief

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ANNEX 1

Retention and Destruction of Contract Files

Type of Contract File	Retention in Office	Retention in Archives	Disposal
Tenders (Accepted/successful)	To be treated as part of the Contract file (see below).	To be treated as part of the Contract file (see below).	To be treated as part of the Contract file (see below).
Tenders (Unsuccessful)- Where tenderer has not requested the return of the tender documents.	To be retained for at least 7 years after debrief (if any) has taken place. (see Annex 2 note 5 from the MSFM)		Destroy the tender documents provided no court case or dispute is open in relation to the document.
Tenders (Unsuccessful)- Where tenderer has requested the return of the tender documents in writing at the time of submission.	To be retained until debrief (if any) has taken place, expiry of period of standstill or until resolution of any disputes, whichever is the later.		Return the tender documents to the tenderer.
Contracts not containing continuing rights or obligations e.g. IPR or Perpetual Licenses	The file should be held in the office until final payment is made unless action is still outstanding, when it should be retained until this is complete.	Consideration should be given as to whether 7 year or 20 year retention is necessary. (Normally 7 years will be sufficient but any cases of doubt should be cleared with the Purchasing Manager).	When declared period of retention in archives has ended.

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Contracts containing continuing rights or obligations e.g. IPR or Perpetual Licenses	File to be retained as long as repeated reference to it is required.	File to be referred to archives for a period of twenty years, following which the file shall be brought forward for review as to whether continued retention is necessary.	Subject to decision taken at review.
Commercial Exploitation Agreements	File to be retained as long as repeated reference to it is required.	File to be referred to archives for a period of twenty years, following which the file shall be brought forward for review as to whether continued retention is necessary	Subject to decision taken at review

ANNEX 2

Procurement Control Limits

NITHC/Translink will be expected to adhere to the DRD Procurement Control Limits as set out in the following table:

Estimated Value of Order (excluding VAT)	Number of Quotations/Selected Tenders Required
Up to £1,000	2 oral quotations [i.e. where no formal contract exists] [fax / email confirmation must be obtained]
Greater than £1,000 to £10,000	3 written quotations /selected tenders [i.e. where no formal contract exists]
Greater than £10,000 to £30,000	4 written quotations/selected tenders [i.e. where no formal contract exists]
Greater than £30,000 up to EU Thresholds	Full Tender Action [i.e. where no formal contract exists]

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- Note 1: Written quotations / selected tenders means inviting offers from selected suppliers without public advertisement. It should be noted that procurement by quotation is usually on the basis of the suppliers' terms and conditions. For procurements which need to cover risks such as insurance, IPR (intellectual property rights), confidentiality, security, etc or in the case of service contracts where it is important to cover issues such as non-performance or disputes, **it is always advisable to issue written conditions of contract.**
- Note 2: Contracting authorities should group together their planned expenditure so that they can consider the appropriate thresholds for procurement. The subdivision of a procurement order with the objective of avoiding the seeking of the appropriate number of quotations / tenders specified in the above table runs contrary to procurement guidance and is not permitted.
- Note 3: It may not always be possible to obtain the required number of quotations. In this event a detailed reason must be noted on the relevant documentation including the options explored and actions taken to obtain the required quotations.
- Note 4: In the application of the above table, a Branch may fix lower financial limits if it is considered appropriate. Care should be taken to ensure that there is no possibility of any undue patronage and staff involved in the procurement process must make a declaration of interest where appropriate. In all their dealings, purchasers should do their best to preserve the highest standards of honesty, integrity, impartiality and objectivity.
- Note 5: All original documentation, including faxed and email quotations must be retained in hard copy format for 7 years.