**BANGOR UNIVERSITY**

 **SINGLE TENDER ACTION JUSTIFICATION FORM (STA)**

In circumstances where it is not possible to obtain three quotations or undertake a tender exercise, staff are required to complete this form to request approval to proceed on a single source / single tender basis. This information is reported annually to the University’s Audit and Risk Committee. Once completed, this form should be sent to the Director of Procurement.

Points to bear in mind:

* Competition enhances value, service and innovation, and minimises the perception and likelihood of partiality, bribery and fraud.
* The University requires suppliers to be selected through competition for all procurements over £1,000.
* EU Treaty principles require fair, open and transparent procurement (single sourcing is not open).
* Goods or services to be purchased with EU funds (e.g. WEFO) **must** be selected by fair and open competition. Do not consider single-sourcing for any procurement funded by EU grants.
* Although single-sourcing is rarely justifiable, competitive purchasing may sometimes not be possible for reasons including an externally imposed lack of time, or genuine compatibility with existing equipment.
* STAs are not required for attendance at training courses or conferences and subscriptions to professional journals.

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| **School / Department:** |  |
| **Requested by:** |  |
| **Date request made:** | Click here to enter a date. |
| **Description of goods, works or services which you are planning to buy and why they are needed:**  |
|  |
| **Name of Supplier:** |  |
| **Total Cost (excl. VAT):** **(include maintenance, training and other running costs where applicable.)** |  |
| **Who is funding the purchase? (If funded by a research grant or special initiative, please provide name of funding body.)** |  |
| **Has funding been approved?**  | **Yes** [ ]  **No** [ ]  |
| **Budget holder / Responsible Manager (Name & Position)** |  |
| **Reason for single tender approval. Please select one of the following options:** |
| 1. Extreme Urgency: - Such cases are more likely to be rejected where the reason for urgency is attributable to the person/department seeking to rely on it, especially where the reason for urgency could also have been reasonably foreseen. | [ ]  |
| 2. Absence of Tenders: - where evidence can be provided that you have tried to comply with financial regulations by inviting competitive tenders but you have received either no bids in return, only one bid or none that you could accept as being compliant/suitable and you therefore want to negotiate a solution with a single supplier. This option will only be considered where Sell2Wales has been used to advertise the opportunity on the open market. | [ ]  |
| 3. For reasons of protection of exclusive rights or technical reasons there is only one possible supplier: -Two tests must be satisfied:* An objectively technical or exclusive rights reason must exist and
* There must be only one possible supplier.

Actual evidence of sufficient exposure to/engagement of the market to prove the case being claimed is expected (e.g. how have you engaged or researched the market in sufficient depth to objectively prove the single supplier argument – did you openly advertise for expressions of interest, for example, but only got one reply?  | [ ]  |
| 4. Other reason:- | [ ]  |
| **Please provide details as to why the approach is justified and how value for money will achieved. You may attach supporting documents to this STA where applicable.**  |
|  |
| **Please detail the selection methods applied to identify the proposed Contractor.** |
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| **Does any conflict of interest exist between University staff and the supplier?****(If yes, please provide further details below.)** | **Yes** [ ] **No** [ ]  |
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| **Date Reviewed by the Deputy Director (Procurement and Payments):****(For purchases below £25k only)** | Click here to enter a date. |
| **Justification approved?**  | **Yes** [ ]  **No** [ ]  |
| **Comments:**  |

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| **Date Reviewed by the Director of Finance:****(For purchases £25k and above)** | Click here to enter a date. |
| **Justification approved?**  | **Yes** [ ]  **No** [ ]  |
| **Comments:**  |

**Notes:**

All STA applicants are respectfully reminded that under the Public Contract Regulations 2015 and in line with the Welsh Government Procurement Policy Statement, single tender action proposals valued at £25,000 excl. VAT and above (either as a one off purchase or in aggregate over time) are not contemplated as being awardable without prior open advertisement of the requirement first.

This legal requirement has been laid down to essentially encourage public purchasers to prove that no other suppliers (public or private) are interested in your procurement opportunity, i.e. openly advertising the opportunity would only result in one bid being submitted and that by the company named on this STA.

Failure to advertise an over £25k STA requirement first to prove that only one prospective supplier was actually interested in bidding could result in legal action through the courts system by aggrieved suppliers and/or the European Commission, leading to potential financial penalties and reputational damage.