



Procurement Bill: What notices should I consider?

The upcoming Procurement Bill requires a contracting authority to publish new and additional types of notices when procuring goods & services. The image is intended as an aid to your procurement planning.



Planning

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- Pipeline Notice: Section 93
- Planned Procurement Notice: Section 15
- Preliminary Market Engagement Notice: Section 17
- Dynamic Market Notice: Section 39



Tender

2

- Tender Notice: Section 21
- Transparency Notice: Section 44
- Procurement Termination Notice: Section 55
- Regulated Below-Threshold Contracts - Tender Notices: Section 87



Award

3

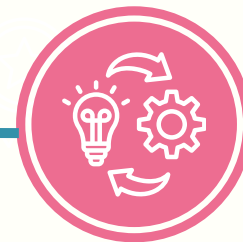
- Contract Award Notice: Section 50



End of Contract

6

- Contract Termination Notice: Section 80



Contract Implementation

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- Contract Change Notice: Section 75
- Payments Compliance Notice: Section 69



Contract Commencement

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- Contract Details Notice: Section 53
- Regulated Below-Threshold Contract - Contract Details Notice: Section 87




Planning


	<p>Pipeline Notice: Section 93</p>	<ul style="list-style-type: none"> • Published annually - Where the authority believes it will pay more than £100 million in relevant contracts in the coming financial year. • Must contain specified information about any public contract with a value in excess £2M, for which the authority intends to publish a tender or transparency notice during the reporting period (18 months from the start of the financial year)
	<p>Planned Procurement Notice: Section 15</p>	<ul style="list-style-type: none"> • An optional notice to authorities • Similar in nature to the current Prior Information Notice (PIN) used to notify intended future tender publication. • Can be used to reduce tendering timescales if published between 40 days and 12 months before the Tender Notice
	<p>Preliminary Market Engagement Notice: Section 17</p>	<ul style="list-style-type: none"> • IF the authority intends to undertake pre-market engagements they must: <ol style="list-style-type: none"> 1. Publish a preliminary market engagement notice before publishing a tender notice, or 2. Provide reasons for not doing so in the tender notice.
	<p>Dynamic Market Notice: Section 39</p>	<ul style="list-style-type: none"> • Must be published at multiple stages when handling dynamic market: <ol style="list-style-type: none"> 1. Notification of intention to establish a dynamic market. 2. Notification of establishment of a dynamic market 3. Notification of any modification to a dynamic market 4. Notification the dynamic market has ceased to operate.



Tender

	<p>Tender Notice: Section 21</p>	<ul style="list-style-type: none"> • A renaming of the current Contract Notice, this must be published when inviting suppliers to submit a tender as part of an open or flexible procedure.
	<p>Transparency Notice: Section 44</p>	<ul style="list-style-type: none"> • A renaming of the current Voluntary Ex-Ante Transparency Notice (VEAT) and must be published if utilising section 41 or 43 for Direct Award.
	<p>Procurement Termination Notice: Section 55</p>	<ul style="list-style-type: none"> • If a contracting authority decides not to proceed with awarding a contract following the publication of a tender or transparency notice, the contracting authority must publish this notice as soon as reasonably practicable after making the decision.
	<p>Regulated Below-Threshold Contracts – Tender Notices: Section 87</p>	<ul style="list-style-type: none"> • A notifiable below-threshold tender notice must be published in advance of inviting tenders to an open opportunity. Where a contracting authority is inviting tenders from a particular or pre-selected suppliers this notice does not apply. • A Contract details notice must be published as soon as reasonably practicable after entering into a notifiable below-threshold contract. • *A “notifiable below-threshold contract” is a regulated below-threshold contract with an estimated value of: <ul style="list-style-type: none"> • (a) Below £213,477 (inc VAT) but not less than £30,000, or • (b) for central government authority; Below £138,760 (inc VAT) but not less than £12,000.

 <p>Award</p>	<p>Contract Award Notice: Section 50</p>	<ul style="list-style-type: none"> • This must be published when a public body intends to make a contract award (i.e. following conclusion of the procurement but before the contract has been executed).
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 <p>Contract Commencement</p>	<p>Contract Details Notice: Section 53</p>	<ul style="list-style-type: none"> • A Contract Details Notice must be published within 30 days (120 days for light touch) starting with the date the contract is entered into.
	<p>Regulated Below-Threshold Contract – Contact Details Notice: Section 87</p>	<ul style="list-style-type: none"> • A Contract Details Notice must be published as soon as reasonably practicable after entering into a notifiable below-threshold contract.

 <p>Contract Implementation</p>	<p>Contract Change Notice: Section 75</p>	<ul style="list-style-type: none"> • For above threshold contract – This must be published before modification notifying the contracting authorities’ intent to modify a public contract. • No publication is required if the intended modification does not increase or decrease the value of the contract by 10% or less for Goods & Services, or 15% or less for works contracts.
	<p>Payments Compliance Notice: Section 69</p>	<ul style="list-style-type: none"> • Must be published where the authority must make a payment, or a sum owed becomes payable under contract, within 30 days from the last day of a reporting period.
 <p>End of Contract</p>	<p>Contract Termination Notice: Section 80</p>	<ul style="list-style-type: none"> • A Payment Compliance Notice is required where the authority must make a payment, or a sum owed becomes payable under contract, within 30 days from the last day of a reporting period. • This notice underpins the current obligations to pay sums due under public contracts within 30 days.

This diagram is intended as an aid only, and does not constitute legal advice. The bill is still travelling through the parliamentary process and as such, all details are subject to change.