

# Procurement Bill: Notice Requirements

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## Planning Stage

### **Pipeline Notice: Section 93**

- Published annually IF the authority believes it will expend more than £100M under relevant contracts in the coming Financial Year.
- Must set out specified information about any public contract with value greater than £2M, for which the authority intends to publish a tender notice or transparency notice during the reporting period (18 months from first day of the Financial Year).

### **Planned Procurement Notice: Section 15**

- Authority may choose to publish this notice.
- Must state that the authority intends to publish a Tender Notice. Functions to reduce tendering timeframes if published between 40 days and 12 months before the Tender Notice.

### **Pre-Market Engagement Notice: Section 17**

- IF undertaking pre-market engagement the authority must:
- publish this notice to inform the market or
- provide reasons for not doing so in the Tender Notice.

### **Dynamic Market Notice: Section 39**

- [Must be published in relation to the authority's decisions surrounding the handling of dynamic markets.](#)
- [Must be published before establishing, on creation, following modification, and on cessation of a dynamic market.](#)

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## Tender Stage

### **Tender Notice: Section 21**

- Must be used to advertise competitive procurement under S19
- Invites requests to participate / tenders.

### **Transparency Notice: Section 44**

- Must publish this notice before directly awarding a contract under S41 or S43
- Must state that the authority intends to award a contract directly
- Not required for direct awards made under para 15 of Schedule 5 (user choice contracts)

### **Procurement Termination Notice: Section 55**

- Must be published if, after publication of a Tender Notice or Transparency Notice, the authority decides not to award the contract.
- Does not apply to private utilities.

### **Regulated Below-Threshold Contracts - Tender Notice: Section 87**

- [Authority may not advertise for the purpose of inviting tenders in relation to the award of below-threshold contracts without first publishing a below-threshold tender notice.](#)
- [Applies to contracts that are regulated below-threshold contracts with an estimated value not lower than £12K where awarded by central government authorities, or £30K otherwise.](#)

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## Award Stage

### Contract Award Notice: Section 50

- Must be published prior to entering into a public contract
- Must state that the authority intends to enter into a contract
- Not required for certain direct awards, call off contracts, dynamic market contracts or light touch contracts
- Notice triggers mandatory standstill period (where applicable)

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## Contract Commencement

### Contract Detail Notice: Section 53

- Must publish this notice confirming that a public contract has been entered into
- Within 30 days of contract being entered into (120 days if light touch contract)

### Regulated Below-Threshold Contracts - Contract Details Notice: Section 87

- Must publish as soon as reasonably practicable after entering into contract
- Applies to contracts that are regulated below-threshold contracts with an estimated value not lower than £12K where awarded by central government authorities, or £30K otherwise

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## Contract Implementation

### Contract Change Notice: Section 75

- Before a contract is modified, a notice must be published stating intent to modify the contract
- Does NOT apply where:
  - Contract is light touch, is a defence and security contract or is awarded by private utilities.
  - Unless in the case of para 9, Sch 8, the modification increases or decreases:
    - the term of the contract by 10% or less of the maximum term provided for on award.
    - the estimated value by 10 % or less for goods or services (15% for works)

### Payments Compliance Notice: Section 69

- Must contain details on compliance with Section 68(2) (payment within 30 days).
- Must be published where the authority must make a payment, or a sum owed becomes payable, within 30 days from the last day of a reporting period.
- Does not apply to private utilities.

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## End of Contract

### Contract Termination Notice: Section 80

- Must publish where a contract is terminated (including through discharge or expiry as well as termination by a party or set aside by the court)
- Must be published within 30 days from the date of contract termination.

NB: Regulations will be made under Section 95 setting out the form and content of notices, documents and other information published or provided under the Act.