

The EU Procurement Rules apply to public authorities (as defined by the Public Sector Procurement Directive 2004/18/EC) and utility companies (as defined by the Utilities Procurement Directive 2004/17/EC). The rules set out detailed procedures for contracts where the value equals or exceeds specific thresholds. Details of the thresholds applying from 1 January 2012 are given below. These thresholds are exclusive of VAT and relate to the full life of the contract.

ADVERTISING OF TENDERS – EU THRESHOLDS 2012-13

THE PUBLIC CONTRACTS REGULATIONS 2006

SERVICES CONTRACTS

Entities listed in Schedule I (S.I. 1995/201)¹
£113,057² (€130,000)

Other Public Sector Contracting Authorities
£173,934 (€200,000)

Prior Information Notices
£652,253 (€750,000)

Small Lots
£69,574 (€80,000)

SUPPLIES CONTRACTS

Entities listed in Schedule I (S.I. 1995/201)¹
£113,057 (€130,000)

Other Public Sector Contracting Authorities
£173,934 (€200,000)

Prior Information Notices
£652,253 (€750,000)

Small Lots
£69,574 (€80,000)

WORKS CONTRACTS

Entities listed in Schedule I (S.I. 1995/201)¹
£4,348,350³ (€5,000,000)

Other Public Sector Contracting Authorities
£4,348,350³ (€5,000,000)

Prior Information Notices
£4,348,350 (€5,000,000)

Small Lots
£869,670 (€1,000,000)

1 Schedule I of the Public Contracts Regulations 2006 lists central government bodies subject to the WTO GPA. These thresholds will also apply to any successor bodies.

2 With the exception of the following services which have a threshold of £173,934 (€200,000):

- Part B (residual) services
- Research & Development services (Category 8)

• The following Telecommunications services in Category 5:

- CPC 7524 - Television and Radio Broadcast services
- CPC 7525 - Interconnection services
- CPC 7526 - Integrated Telecommunications services

• Subsidised services contracts under Regulation 34

3 Including subsidised works contracts under Regulation 34

THE DEFENCE AND SECURITY PUBLIC CONTRACTS REGULATIONS 2011

SERVICES CONTRACTS

All sectors
£347,868 (€400,000)

Prior Information Notices
£652,253 (€750,000)

Small Lots
£69,574 (€80,000)

SUPPLIES CONTRACTS

All sectors
£347,868 (€400,000)

Prior Information Notices
£652,253 (€750,000)

Small Lots
£69,574 (€80,000)

WORKS CONTRACTS

All sectors
£4,348,350 (€5,000,000)

Prior Information Notices
£4,348,350 (€5,000,000)

Small Lots
£869,670 (€1,000,000)

THE UTILITIES CONTRACTS REGULATIONS 2006

SERVICES CONTRACTS

All sectors
£347,868 (€400,000)

Prior Information Notices
£652,253 (€750,000)

Small Lots
£69,574 (€80,000)

SUPPLIES CONTRACTS

All sectors
£347,868 (€400,000)

Prior Information Notices
£652,253 (€750,000)

Small Lots
£69,574 (€80,000)

WORKS CONTRACTS

All sectors
£4,348,350 (€5,000,000)

Prior Information Notices
£4,348,350 (€5,000,000)

Small Lots
£869,670 (€1,000,000)

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The EU Procurement Rules apply to public authorities (as defined by the Public Sector Procurement Directive 2004/18/EC). The rules set out specific procedures which may be used for contracting and the subsequent timescales which may be applied. Details of these timescales, as defined by the Directive, are given below. These timescales are minimum and may be extended by the authority at its discretion.

EU PUBLIC SECTOR REVISED TIMESCALES FROM DESPATCH TO OJEU

SI 05/06 (Public Sector)	PIN Issued?	Expressions of Interest	XML (Project) reduction* only	Tender Response	XML (Project) reduction* only	Docs Online only [†]	XML plus Docs Online* [†]
Open (inc DPS)	No	No	-	52	45	47	40
Open (inc DPS)	Yes	No	-	36	29	31	24
Restricted	No	37	30	40	-	35	-
Restricted	Yes	37	30	36	-	31	-
Negotiated	N/A	37	30	-	-	-	-
Accelerated	N/A	15	10	10	-	-	-
Competitive Dialogue	N/A	37	30	-	-	-	-
DPS Call Off	N/A	-	-	15	-	-	-

Notes:

*XML transmission reduces timescales by 7 days (SI 2006 05 and 06)

[†]Unrestricted access to tender documentation reduces tender stage by 5 days (SI 2006 05 and 06)

Dynamic Purchasing System (DPS) must be run through the Open Procedure (SI 2006 05 and 06)

NEW 2012 REGULATIONS

DEFENCE AND SECURITY PUBLIC CONTRACTS REGULATIONS 2011

The Defence and Security Public Contracts Regulations (DSPCR) 2011 implement the European Union Defence and Security Procurement Directive into United Kingdom law. The DSPCR applies to defence and sensitive security procurements by contracting authorities and utilities (the "procurers") throughout England, Scotland, Wales and Northern Ireland, where the procurement procedures begin on or after 21 August 2010.

PUBLIC PROCUREMENT (MISCELLANEOUS AMENDMENTS) REGULATIONS 2011

These regulations amend five other statutory instruments relating to public procurement, which are: The Public Contracts Regulations 2006; The Utilities Contracts Regulations 2006; The Defence and Security Public Contracts Regulations 2011; The Public Contracts (Scotland) Regulations 2006; and The Utilities Contracts (Scotland) Regulations 2006. The instrument introduces changes to the time limits within which proceedings can be brought by economic operators who wish to challenge procurement decisions made by contracting authorities and also updates the grounds upon which an economic operator can be rejected (mandatory and optional exclusions) under regulation 23 of the PCR and regulation 26 of the UCR.

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