



WAGENINGEN
UNIVERSITY & RESEARCH

Procurement Policy 2015

Approved by the Executive Board on 13 December 2015

Translation: 22-03-2016

Contents

- 1. The Procurement Policy sets a framework for actions 3
- 2. The Procurement Policy applies to WUR in its entirety 3
- 3. WUR complies with relevant legislation concerning procurement as well as the principles of Proportionality, Objectivity, Non-discrimination and Transparency 4
- 4. The choice of the procurement procedure is based on the procedure selection flowchart 4
- 5. The Electronic Order System 5
- 6. Resolution enforcement hardship clause bases on conflicting entry dates 5

WUR Procurement Policy 2015

Based on prevailing Public Procurement law, Wageningen University & Research (WUR) is required to follow prescribed procedures related to certain procurement thresholds. One of the main purposes of this act is to increase free and fair competition. In addition to legislation and regulations, WUR has its own procurement policy.

This document, Procurement Policy 2015, is a revision and replacement of the 2013 procurement policy.

1. The Procurement Policy sets a framework for actions

1.1 The aim of the procurement policy is to effect all influenceable expenditure in a lawful, effective way and to reflect and practice WUR core values.

1.2 To act with integrity is a prerequisite.

A responsible exercise of the procurement duties requires that the integrity of the procurement professionals is beyond any doubt. The Nevi code of conduct (see link) serves as an integral base. This code of conduct can be used as a touchstone in the evaluation of the procurement professionals' activities. [Nevi Code of Conduct](#)

1.3 The hardship clause can be applied towards any contracts below European threshold values.

If in a concrete case the procedure selection flowchart (see Paragraph 4.1) leads to effects that can be deemed to be disproportionately disadvantageous in relation to the objectives of this policy, an alternative procedure can be opted for, provided that this alternative has been found to be within the scope of the law. This exception can only be applied if there is no legal obligation to follow a European public procurement procedure. This would concern any purchase below European threshold values. This exception can only be used in one-off and specific cases. The application of the hardship clause shall always be argued in writing in advance and requires approval by the Executive Board.

Lack of time as a result of delayed start of a procurement procedure shall not offer grounds for appeal to this clause.

2. The Procurement Policy applies to WUR in its entirety

2.1 Procurement involves anything for which an invoice is submitted to WUR. The basic rule for the procurement policy is that everything for which an invoice is submitted to WUR is deemed to be a purchase. This applies to any supplies, works and services for which external parties carry out activities on behalf of WUR. Taxes, levies etc. are considered an exception to this rule.

2.2 "Joint procurement, unless" is the basic rule. The result of a joint procurement process is binding to all departments. The responsibility for compliance lies with management.

2.3 The Procurement Policy applies to all WUR departments.

2.4 The Procurement Policy is not primarily aimed at What is purchased but at How it is purchased. The Procurement department's involvement is to arrive at a proper definition of WHAT.

2.5 Placement of orders is a decentralized function.

3. WUR complies with relevant legislation concerning procurement as well as the principles of Proportionality, Objectivity, Non-discrimination and Transparency

- 3.1 WUR complies with the prevailing legislation.
- 3.2 All actions are in accordance with the authorizations laid down by the Executive Board.
- 3.3 The most recent General Government Terms and Conditions for Public Service Contracts (ARVODI) shall in principle apply to any service contracts to be concluded.
- 3.4 The most recent General Government Purchasing Conditions (ARIV) shall in principle apply to any supply contracts to be concluded.
- 3.5 The most recent General Government Purchasing Conditions on IT contracts (ARBIT) shall in principle apply to any IT contracts to be concluded.
- 3.6 The most recent Uniform Administrative Conditions for the Execution of Works (UAV) shall apply to any contracts concerning Works.
- 3.7 WUR has appointed a complaints manager to whom any interested parties can submit their complaints in writing about a specific public procurement procedure.

4. The choice of the procurement procedure is based on the procedure selection flowchart

- 4.1 The current relevant legislation sets out threshold values above which Works, Supplies and Services public contracts must be awarded in a European public procurement procedure. These threshold values are determined by the European Commission every two years. If these values are adjusted, the table below will be adjusted accordingly. For orders below these threshold values the general principles of the guidelines of the present procurement policy will be followed.
- 4.2 Use of the procedure selection flowchart for Supplies and Services is mandatory.

Estimated Contract Value for Supplies and Services excl. VAT	Award Procedure
< € 50,000	Restricted procedure, single call for proposal.
€ 50,000 – actual threshold value	Restricted procedure with several selected suppliers being invited to submit their offers, their number depends on the number of suppliers in the market, with or without pre-selection.
Actual threshold value	European procedure, with or without pre-selection.

- 4.3 Use of the procedure selection flowchart for Works is mandatory.

Estimated Contract Value for Works excl. VAT	Award Procedure
<€ 50,000	Restricted procedure, single call for proposal
€ 50,000 – € 1,000,000	Restricted procedure with several selected suppliers (however no less than three) being invited to submit their offers, their number depends on the number of suppliers in the market.
€ 1,000,000 – actual threshold value	National open procedure, with or without pre-selection
≥ actual threshold value	European procedure, with or without pre-selection

4.4 All invitations to bid shall be in writing as much as possible as it is highly desirable to make initial reference to applicable terms and conditions.

5. The Electronic Order System

5.1 At WUR orders will only be placed and authorized through the electronic order system.

5.2 The procurement department will check the orders placed in the electronic order system to determine their effectiveness and lawfulness.

6. Resolution with respect to the applicability of the hardship clause based on conflicting entry dates

6.1 Any contracts to which WUR intends to submit an offer

- and also wishes to contract a subcontractor
- and also requires publication of the name of the subcontractor in the tender
- and where the value of the subcontractor's contracts do not exceed the European threshold value;
- and where the time limit between receipt of the invitation to tender and the ultimate proposal date is no more than 48 calendar days,

shall be qualified as important to the organization, such that the selection procedure of subcontractors may deviate from the National open and Restricted procedure as mentioned in Article 4.2.