

Purchasing Policy

In accordance with Art. 7.1. n) of the Statutes and in order to promote the principles of non-discrimination, competitive tendering and transparency, the Steering Committee of the Institut Laue-Langevin (ILL) has adopted the following Purchasing Policy, which sets out the general guidelines for purchasing procedures at the ILL.

The ILL shall draw up the necessary Purchasing Procedures to implement this Purchasing Policy.

1. Scope of the Purchasing Policy:

These general guidelines apply to all contracts for pecuniary interest for the provision of goods, works or services, concluded in writing between the ILL and a third party (or parties).

They cover 3 types of purchase request: standard purchase requests, adjustments (known as 'regularisation') and purchase requests relating to a new or existing contract.

Certain categories of purchases are not subject to the Purchasing Procedures. These include employment, secondment contracts, arbitration, mediation, conciliation and other legal services, cooperation agreements, including services provided by third parties, banking services and loans, and contracts with telecommunications and internet service providers.

2. The general guidelines governing purchasing at the ILL are as follows:

- All procurement undertaken in a given year must be necessary for the purpose of the Institute and must be covered by the corresponding budget in accordance with the principle of a balanced budget.
- Purchases of goods, services and works contracts by the ILL must be **prepared and managed** by the Purchasing Service in cooperation with the Divisions requesting the purchase; such purchases must be **authorised** by persons with the appropriate authority.
- All **tendering exercises** conducted must be **as broad as possible**, involving in particular the ILL's Associates and Scientific Members.
- The **procedures to be followed**, which must guarantee the safeguarding of the principles of transparency, competitive tendering and non-discrimination, will **vary depending on the value of the planned purchase** (cf. Annex).
- To **evaluate the total amount of a purchase order** (which determines the award procedures to be followed), the ILL must include any possible contract renewals, as well as all packages relating to the same type of service; purchases must not be split into smaller orders.

- In view of **their nature, certain purchases shall be exempt** from the requirement to issue **a national or international invitation to tender or request for quotation** (cf. Annex).
- If a call for tenders is issued and a contract notice is published on the ILL website, **the criteria for the selection of candidates and tenders** must also appear in the contract notice.
- Irrespective of the value of the purchase, the ILL may **negotiate** technical and/or commercial aspects of the offers received, provided such negotiations remain confidential.
- The ILL must ensure, for its purchases, that it selects **the most suitable offer** and **does not systematically contract with the same supplier** when several offers have been submitted which could meet its needs.
- The ILL must select the **offer presenting the best value for money that meets the ILL's technical and delivery requirements**, unless stipulated otherwise in the contract notice.
- No **contract valued at or above 500 000 €** must be awarded without the **prior approval of the Subcommittee on Administrative Questions**, unless decided otherwise by the Steering Committee.
- **Two authorised signatures** are required for **purchases valued at or above 10 000 €**

Procedures		Threshold for purchases of goods and services	Threshold for purchases of works contracts
Tendering rules	<p>In addition to the standard procedure, for these purchases a request for quotation must be sent to three separate suppliers at national and, whenever possible, international level (subject to the exemptions set out in § 3).</p> <p>The DAI (electronic purchase order – demande d’achat informatisée) is forwarded to the budget controller, who checks whether the necessary budget is available.</p>	<p>≥10 000 €ex. tax <25 000 €ex. tax</p>	<p>≥10 000 €ex. tax <50 000 €ex. tax</p>
Signature rules	The purchase order is signed by the buyer and then by the Head of Administration.		
Tendering and selection rules	<p>Launch of an international invitation to tender is mandatory (subject to the exemptions set out in § 3).</p> <p>Close collaboration with the Purchasing Service for the market survey.</p> <p>Preliminary consultation (international sourcing) sent to the ILOs (Industrial Liaison Officers) in the Associate and Scientific Member countries.</p> <p>On the basis of the information obtained from the ILOs, the buyer, in liaison with the user, draws up a list of firms to be invited to tender, including, where appropriate, any other firms they feel should be included in the tendering exercise.</p> <p>The Purchasing Service and the user concerned agree on the technical and commercial criteria for the evaluation of the offers; on request, these are communicated to the supplier.</p> <p>In the light of the tenders received and their relevance in relation to the technical and commercial criteria selected, and following a phase of discussions and negotiations with the shortlisted supplier(s), the Purchasing Service and the user agree on the choice of a supplier for the proposed purchase.</p>	<p>≥25 000 €ex. tax <150 000 €ex. tax</p>	<p>≥50 000 €ex. tax <150 000 €ex. tax</p>

	The DAI is forwarded to the budget controller, who checks whether the necessary budget is available.		
Purchasing Commission	The Purchasing Commission gives its opinion on the order after verifying that the Purchasing Procedures have been properly followed. Confidential purchases/contracts are validated by the CDDR Purchasing Commission for classified procurement.		
Signature rules	The purchase order is signed by the buyer and then by the Head of Administration (for all purchases valued at or above 100 000 €(excl. taxes), the ILL Director must also sign the purchase order).		
Tendering rules	Same as for purchases valued at or above 25 000 €(excl. taxes) for goods and services, and 50 000 €(excl. taxes) for works, and less than 150 000 €(excl. taxes).	≥150 000 €ex. tax <500 000 €ex. tax	≥150 000 €ex. tax <500 000 €ex. tax
Purchasing Commission	Same as for purchases valued at or above 25 000 €(excl. taxes) for goods and services, and 50 000 €(excl. taxes) for works, and less than 150 000 €(excl. taxes).		
Signature rules	The purchase order is signed by the buyer and then by the Head of Administration and the ILL Director.		
Advertising rules	Publication of a contract notice on the ILL website is only mandatory for purchases of goods and services valued at or above 150 000 €(excl. taxes).		
Tendering rules	Same as for purchases of goods and services and works contracts valued at or above 150 000 € (excl. taxes) and less than 500 000 €(excl. taxes).	≥ 500 000 €ex. tax	≥500 000 €ex. tax
Purchasing Commission and validation	Same as for purchases of goods and services and works contracts valued at or above 150 000 € (excl. taxes) and less than 500 000 €(excl. taxes), with the addition of a written procedure requesting the approval of the Subcommittee on Administrative Questions (SAQ). This written procedure is prepared by the Purchasing Service in collaboration with the user and is signed and sent to the SAQ by the Head of Administration. Once the approval of the members of the SAQ has been received, the purchase order is signed by the authorised persons and then sent to the supplier.		
Signature rules	The purchase order is signed by the buyer and then by the Head of Administration. The ILL Director also signs the purchase order.		
Advertising rules	Publication of a contract notice on the ILL website is mandatory for all purchases of goods and services, and for purchases of works contracts valued at or above 5 000 000 €(excl. taxes).		

3. Exemptions from international requests for quotation and invitations to tender

- Services requiring certification or special accreditation granted by a body which has a monopoly on such certification or accreditation: only those suppliers with the necessary certification or special accreditation can be invited to tender
- Services relating to the subcontracting of an AIP (Activité Importante pour la Protection des intérêts – activity important for the protection of interests¹)

4. Exemptions from national and international requests for quotation and invitations to tender

- Purchases made under a blanket purchase order for which the Purchasing Service has negotiated prices with the supplier following the signing of a framework agreement
- Urgent services or purchases affecting experimental or reactor operations (to be studied on a case-by-case basis; as a minimum requirement, the Head of Service concerned must provide an explanatory note justifying the purchase). A case will be recognised as urgent if it is due to an unforeseen situation
- Services for which only one or a fixed number of suppliers can meet the requirements (for technological or legal reasons, and in particular for the protection of exclusive rights), provided that (a) the product is still fit for purpose and technically relevant, and (b) a change of supplier would be economically more costly. Regular sourcing activities must be conducted to verify that no other supplier can give better satisfaction
- Services for which only the supplier of the equipment can carry out the maintenance (for technological or legal reasons, and in particular for the protection of exclusive rights)
- Services for which a monopolistic situation exists (state monopoly or monopoly for legal or technological reasons, and in particular for the protection of exclusive rights)
- Products or services classified as restricted (*'Diffusion Restreinte'*) or *'Confidentiel Défense'* (Confidential defence)

The following purchases are also exempted from the procedures:

- Additional purchases made from the original supplier if a change of supplier may result in disproportionate technical difficulties in terms of use or maintenance
- The purchase of raw materials listed on the stock market.

¹ activities which contribute to preventing the risks and inconveniences which basic nuclear installations may present for safety, public health and sanitation, and the environment