



# Procurement Policy Note – Introduction of Find a Tender

Action Note PPN 08/20

November 2020

## Issue

1. This Procurement Policy Note (PPN) reminds contracting authorities of [Find a Tender](#) (FTS), the new UK e-notification service where notices for new procurements are required to be published in place of the Official Journal of the European Union's Tenders Electronic Daily (OJEU/TED), from the end of the Transition Period.

## Dissemination and Scope

2. This PPN applies to all contracting authorities, including Central Government Departments, Executive Agencies, Non Departmental Public Bodies, wider public sector, local authorities, NHS bodies, and utilities in respect of procurements regulated by the Public Contracts Regulations 2015, the Utilities Contracts Regulations 2016, the Concession Contracts Regulations 2016 and The Defence and Security Public Contracts Regulations 2011 (the "Regulations"). Together these are referred to in this PPN as 'contracting authorities'.

3. Please circulate this PPN within and to relevant organisations that you are responsible for, drawing it to the specific attention of those with a purchasing role.

## Timing

4. Contracting authorities should be prepared to apply the provisions of this PPN from the end of the Transition Period (23:00 on 31 December 2020) for new procurements.

## Action

5. At the end of the Transition Period, amendments to the Regulations in relation to the withdrawal of the UK from the EU will come into force. This means that, whilst the framework and principles underlying the public procurement regime (the procurement procedures, financial thresholds, etc.) will not substantially change, contracting authorities will be required to publish public procurement notices for new procurements to the new UK e-notification service, **Find a Tender** (FTS): <https://www.find-tender.service.gov.uk>

## Background

6. The Public Procurement (Amendment Etc.) (EU Exit) Regulations 2020 and The Defence and Security Public Contracts (Amendment) (EU Exit) Regulations 2020, have been laid before Parliament and, once made, will make amendments to the Regulations to address deficiencies arising from the UK's withdrawal from the EU and to give effect to the public procurement chapter of the Withdrawal Agreement agreed between the UK and the EU. These amendments are being made to ensure public procurement law operates effectively after the end of the transition period and include new requirements on publication of notices for new procurements.

### What will change for contracting authorities?

7. Contracting authorities have legal obligations under the Regulations to publish certain notices in relation to public procurements. For procurements which are launched after 23:00 on 31 December 2020, you will be required to publish notices relating to those procurements on FTS instead of OJEU/TED.

8. All legal and policy requirements to advertise on other platforms such as Contracts Finder and MOD Defence Contracts Online or Devolved Administration systems such as Public Contracts Scotland, Sell2Wales, eSourcing NI and eTendersNI will not be affected by these changes.

### Publishing to Find a Tender

9. FTS will be available for public use from 23:00 on 31 December 2020.

10. Contracting authorities that are currently working with a third party provider ('eSender') to submit notices to OJEU/TED will be able to continue to use them provided that the eSender successfully completes integration work to post notices to FTS. A list of eSenders who have successfully completed integration work can be found [here](#). Contracting authorities may wish to contact their eSenders to ask them about their plans for integrating with FTS.

11. Contracting authorities that need to publish directly to FTS will need a Supplier Registration Service (SRS) account:

- Existing Contracts Finder users will be enabled to publish to FTS automatically and need take no action.
- Contracting authorities that do not have a Contracts Finder or a Supplier Registration Service account will need to register as a buyer at <https://www.contractsfinder.service.gov.uk/organisation/register> and apply to post notices.
- Contracting authorities that do have an SRS account, but not a Contracts Finder account will need to go to Contracts Finder and sign in with their SRS credentials at <https://www.contractsfinder.service.gov.uk/login> and then apply to post notices.

12. Enquiries about registration should be directed to the Crown Commercial Service Helpdesk on 0345 410 2222 or [info@crownccommercial.gov.uk](mailto:info@crownccommercial.gov.uk)

## **Procurements in progress at the end of the transition period**

13. In respect of procurements which are launched before 23:00 on 31 December 2020 and which have not yet been finalised by that date, the current requirement to publish notices to OJEU/TED will continue to apply after the end of the transition period.

14. This means that if you launch a procurement process before the end of the transition period, but that procurement process has not finalised by the end of the Transition Period, you will need to continue to publish notices relating to your procurement on OJEU/TED. This includes any relevant notices such as contract notice, contract award notice, contract amendments notice and corrigenda.

15. For these purposes, a procurement is launched when a contract has been advertised, including for example by way of publication of a prior information notice as a call for competition or a contract notice, or notified to those involved where an advertisement is not required.

16. A procurement is finalised on publication of a contract award notice or, where such a notice is not required, when the contract is entered into, or when bidders are informed why the contract was not awarded if there was a decision not to award.

17. You must still publish details of the contract award to Contracts Finder, the relevant Devolved Administration or other portals in accordance with relevant legal and policy requirements.

18. Contracting authorities are asked to send notices which are required to be sent to OJEU/TED for publication, to FTS so that suppliers have only one place to look for UK opportunities. However this is not a legal requirement.

19. If you are legally required to send notices to OJEU/TED for publication, you must do so before publishing to FTS.

## **What will change for businesses?**

20. Contracting authorities are requested to make their suppliers aware of the following changes:

21. Suppliers wishing to access public sector contract opportunities in the UK where the procurement is launched after 23:00 on 31 December 2020 will need to access FTS. These changes do not affect suppliers' access to other domestic portals, such as Contracts Finder, MOD Defence Contracts Online, Public Contracts Scotland, Sell2Wales and eTendersNI.

22. Suppliers who wish to access public sector contract opportunities in the EU or information about procurements launched by UK contracting authorities before 23:00 on 31 December 2020, may continue to do so via OJEU/TED.

23. Suppliers and data consumers who make use of OJEU/TED data outputs will be able to access publicly available data outputs for FTS. Data is available for testing, for support please contact the Crown Commercial Service Helpdesk on 0345 410 2222 or [info@crowcommercial.gov.uk](mailto:info@crowcommercial.gov.uk).

## **Further information**

24. Further information is available on [GOV.UK](https://www.gov.uk).

## Contact

25. Enquiries about this PPN should be directed to the Crown Commercial Service Helpdesk on 0345 410 2222 or [info@crowncommercial.gov.uk](mailto:info@crowncommercial.gov.uk).