

## CIPFA Procurement Webinar

Part of the New Procurement Act 2023 Support - Are you ready?

The Wait is Over – Implementing the New Procurement Act 2023

### Zoom Webinar - Special Extended Event

**21 November 2023**

**11 December 2023**

**18 January 2024**

**31 January 2024**

**12 February 2024**

**28 February 2024**

**7 March 2024**

**15 April 2024**

**15 May 2024**

Please note capacity on these events will be limited to 30 delegates per event to maximise open discussion. Further dates will be announced in the New Year, if required.

After the long wait for the Procurement Bill to go through the legislative process, the time has finally arrived for public contracting authorities and practitioners to start their implementation of the new Procurement Act 2023 ("PA23"). PA23 heralds the biggest shake-up of procurement rules for a generation and presents plenty of opportunities, challenges as well as new terminology and concepts which need to be quickly understood and applied. This event has been designed to support delegates gain an introductory and practical understanding of the new sections, schedules and published/ available guidance to kickstart successful implementation. The event will also highlight areas which remain the same under PA23 and where day to day application needs to be adapted to avoid costly mistakes and delays to vital procurement projects.

### Learning Outcomes

#### How will you benefit?

Key learning outcomes include:

- Explanation of key changes, new terminology, and ways/ approaches to procurement.
- What do the changes mean and what you need to know to implement?
- Understand key commercial and contract management implications.
- Detailed explanation of key changes in the Act, including framework agreements and dynamic markets.
- Compare and contrast current and new rules.
- Offer practical tips on updating documents and other implementation measures.

## Who Will Benefit

The webinar will support procurement, finance, solicitors, project managers, auditors and contract managers with day-to-day responsibilities for seeking tenders and managing suppliers.

## Programme

09.20 – 09.30	<b>Join the Webinar</b>
09.30 – 09.35	<b>Welcome, Introductions and Overview of the Webinar</b> <b>Mohamed Hans, Solicitor, Procurement Advisor,</b> <b>CIPFA Procurement &amp; Commissioning Network</b>
09.35 – 10.20	<b>Road to Reform &amp; High-Level Changes Introduced by PA23</b> This session will introduce delegates to the new Act and some of the key general changes. It will cover: <ul style="list-style-type: none"><li>▪ Journey from Bill to PA23</li><li>▪ Transitional provisions</li><li>▪ Changes to definitions and scope</li><li>▪ Valuation of contracts</li><li>▪ Unique identifier</li><li>▪ Explanation of updated procurement principles &amp; new objectives</li><li>▪ Exemptions</li><li>▪ Vertical/ horizontal arrangements</li><li>▪ Conflicts of interest assessment</li><li>▪ Record keeping</li><li>▪ Below threshold tenders</li><li>▪ Creation of a Procurement Review Unit (PRU)</li></ul>
10.10 – 11.20	<b>Understanding the Nuts and Bolts of the PA</b> This session will consider the detailed changes that practitioners need to know to manage procurements under the new provisions. <ul style="list-style-type: none"><li>▪ Approach to preliminary market engagement (notices, prior engagement, unfair advantage)</li><li>▪ Procurement time periods</li><li>▪ Update to exclusion grounds</li><li>▪ Test to apply to exclusion grounds</li><li>▪ Extension of exclusion grounds to associated suppliers and subcontractors, national security, improper behaviour</li><li>▪ Excluded/ excludable suppliers</li></ul>
11.20 – 11.35	<b>Comfort Break</b>
11.35 – 12.45	<b>Undertaking a Procurement Process under the New Regime</b> This session will take delegates through practical steps in issuing new tenders under the new rules. <ul style="list-style-type: none"><li>▪ Setting conditions of participation &amp; award criteria</li><li>▪ Revising award criteria</li><li>▪ Most advantageous tender</li><li>▪ Tender Notice/ Transparency Notice</li><li>▪ open procedure</li><li>▪ competitive flexible procedure</li><li>▪ Reduction to standstill period</li><li>▪ Contract Award notice and Assessment Summary</li><li>▪ Contract Details Notice and publication of contract</li></ul>
12.45 – 13.25	<b>Lunch</b>

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13.25 – 14.05 **In Depth Explanation - Key Change - 1**  
**How to Set up and Operate Framework Agreements & Dynamic Markets**  
The first part of the afternoon session will detail a list of specific changes and give delegates an opportunity to ask further questions:

- What are “Closed” and “Open” framework agreements?
- How to establish framework agreements
- Making call-offs under framework agreements
- Operating successive open framework agreements
- Establishing & operating dynamic markets
- Do dynamic markets replace DPS?

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14.05 – 14.40 **In Depth Explanation – Key Change - 2**  
**Making changes to live contracts - New Gateways for Variations**  
The new rules include several important changes to in-term contract modifications. This includes:

- Convertible contract'
- Substantial' safe harbour/ below-threshold
- Permitted modifications in Schedule 8
- Publication of contract change notice/ contract
- Applying voluntary standstill period

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14.40 – 14.50 **Comfort Break**

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14.50 – 15.25 **In Depth Explanation – Key Change - 3**  
**Approving Direct Award of Contracts**  
This session will consider where CAs will be able to award a contract directly without a competitive tendering procedure.

- What is a direct award?
- Key changes and grounds
- When can a direct award be made?
- Transparency notice obligations
- Direct award justifications

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15.25 – 16.00 **In Depth Explanation – Key Change – 4**  
**Key Performance Indicators and Monitoring Reforms Explained**

- Assessment of contract performance
- key performance indicators
- Exemptions for KPI's in contracts
- Publication of assessment obligations
- Publication for breach resulting in termination, award of damages, settlement or not to authority's satisfaction.
- Central digital platform
- Contract management - payment information

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16.00 – 16.10 **Discussion, questions & close**

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### **CIPFA Sustainability Policy**

CIPFA is delivering all of our training courses, workshops and seminars in accordance with our sustainability strategy. We do not provide hardcopy course materials to delegates, and these are now distributed by email in advance of the event. We are striving to reduce our carbon footprint in every way that we can, and we hope that we can count on your support.