



الاتحاد العربي للنقابات
ARAB TRADE UNION CONFEDERATION

ATUC

Procurement Policy

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All purchases made by ATUC shall be made in accordance with the following procurement criteria:

- All procurement transactions, irrespective of their method or monetary value, shall be conducted in the best interests of ATUC and serve ATUC progress and implementation of its activities.
- ATUC shall not engage in procurement practices that may be considered arbitrary or restrictive.
- The Executive Secretary shall delegate the responsibility to the Finance and Administration Department to review procurement processes, aiming to avoid duplication and ensure that procurement costs are reasonable according to the available budgets.

Types of Procurements:

Procurements shall be made in one of the following ways:

- Small procurement procedures;
- Competitive tenders;
- Non-competitive tendering.

A. Small procurements

- For procurements less €1000, the employee in charge of procurement shall make the necessary effort to obtain the lowest and best price for the product. Written records of these efforts are not necessary.
- For procurements with a cost ranging between €1000 and €3000, three quotations via phone about the price in relation to the product's quality shall

be required. A notification shall be then sent via email, indicating the date of the phone calls, the parties contacted, and the prices obtained. This information shall be utilized for the preparation of the purchase order.

- For procurements of supplies, equipment, and services with a cost range between €3000 and €10,000, the process requires obtaining written estimates. ATUC mandates that written offers be solicited from a minimum of three service providers. These offers shall be then presented to the established Procurement Committee (formed for each case), which shall review the proposals and select the service provider offering the best value to ATUC, taking into account both the proposed service quality and the available budgets for the activity.

B. Competitive Tenders

ATUC shall use competitive tenders regardless of the contract amount based on a written decision:

1. The specifications shall not be made specific enough to allow the bid to be awarded on the basis of the lowest bid or lowest evaluated bid price (in other words, the tender is not possible.)
2. The services to be purchased shall be professional in nature.
3. Competitive negotiations shall be conducted as follows:
 - A. Requests for proposals (RFPs) shall be solicited through sending letters/emails to qualified vendors. The RFPs will describe the services required and identify the factors to be considered when evaluating proposals. RFPs shall always include cost as a selection factor.

B. A bidder whose proposal is determined in writing by ATUC to be the most beneficial to ATUC shall be qualified. Evaluations shall be based on the factors set out in RFPs, and a written assessment of each proposal shall be prepared. If it is determined that no acceptable proposal has been submitted, all proposals may be rejected. It is permissible to request new proposals on the same terms or with revised terms or to abandon the procurement process.

C. For the procurement of certain professional services, a similar RFPs process may be used, with the exception that cost is not considered during the initial evaluation. Proposals received will be evaluated and ranked by comparative qualifications. The person or company with the highest score will be contacted and ATUC will negotiate the cost.

C. Non-Competitive Negotiations

Non-competitive negotiations can be used for procurements over €10,000 when competitive bidding or negotiations are not possible. ATUC may procure goods and services through non-competitive negotiations when it determines that competitive negotiation or bidding is not possible and:

- 1.** in cases where following competitive procurement procedures would result in delays that could cause significant damage in an emergency situation;
- 2.** the product or service can only be obtained from a single source; or
- 3.** Only one satisfactory proposal is received through the RFPs.

Non-competitive negotiation procurement requires strict attention to observing neutrality towards all suppliers. All non-

competitive negotiation purchases shall be approved by ATUC when only one supplier is involved or only one offer is received or in response to an RFP.

D. Offers shall be accepted only from contractors who have a proven record of being able to successfully execute the work being contracted. References will be requested along with the contractor's proposal. Any contractor submitting a proposal shall provide written evidence (along with their offer documents) of their capacity to fulfill the required obligations and possess employees' compensation coverage. Issues such as contractor integrity, compliance with public policy, past performance record and financial and technical resources shall be considered when awarding contracts.

I. Contracts

In general, all procurements shall be documented and supported by a written contract. In cases where it is not feasible or practical to prepare a formal contract, a written declaration stating this shall be prepared, accompanied by appropriate documentation of the transaction. All contracts shall have a format that gives ATUC the right to cancel any contract for some reason. The stated reason shall include, but not be limited to, evidence of the contractor's inability to perform the specified work, unwillingness to complete the work in a timely manner, lack of required insurance or employees' compensation coverage, non-payment of wages to suppliers or employees, unsafe working conditions caused by the contractor, failure to maintain accurate and timely job records, failure to provide such records to ATUC upon request, or any other documented issues that could cause hardship to ATUC if a claim arises or the work is not completed on time and at the specified cost.

II. Documentation

All source documents supporting any particular transaction (receipts, purchase orders, invoices, RFP data and proposal materials) shall be retained and submitted in an appropriate manner. Where possible, original documents relevant to each individual purchase shall be maintained and kept separately. Where it is not possible to maintain individual procurement files, original documents shall be provided and maintained in a reasonable manner. Whatever the format of the documents and files used, the purpose of this section is to ensure that a clear and consistent audit trail is established. At a minimum, the original documentation shall be sufficient to establish the basis for selection, the cost basis (including any reasonable costs), the rationale for the chosen procurement method and contract type, as well as the justification for the payment terms.

III. Locally Owned, Minority-Owned, Female-Owned and Small Businesses.

If possible, all necessary confirmed steps shall be taken and documented to request the participation of locally owned, minority-owned, female-owned and small businesses. ATUC will solicit proposals from minority or women-owned businesses that provide the goods or services being sought. Where practicable, delivery timelines shall be established, and the work shall be divided in a manner that maximizes the participation of small

businesses, minority-owned businesses, and women-owned businesses. The divided components shall be submitted as a separate contract. Where possible, the evaluation criteria shall include giving appropriate qualitative weight to these companies. A list of locally owned, minority-owned, female-owned and small businesses as well as minority businesses located within the business district shall be maintained. This list shall be referred to when making small procurements. The winning bidder shall be required to use the same criteria in selecting suppliers and subcontractors whenever possible.

IV. Code of Conduct

a) Conflict of Interest

No member, employee, consultant, elected official, appointed official or any other person associated with ATUC shall participate in or have any interest in the awarding of any purchase transaction if there is an actual or perceived conflict of interest. A conflict of interest arises when an official, employee, or any person associated with ATUC, including their partners, immediate family members, or the organization that employs or intends to employ any of the aforementioned individuals, has a financial or other interest in any of the competing companies.

These rules shall apply to all and shall be valid for the period of service and for one year after leaving the said position (or office, in the case of elected officials).

An exception to these rules may be requested by submitting an application for an exemption. This exemption request shall be sent in writing to ATUC. In order to make such a request, the full nature of the conflict of interest shall have been made public and evidence of such disclosure shall be provided.

b) Accepting Gratuities

No member, employee or a person associated with ATUC shall solicit or accept gratuities, services or anything of monetary value from contractors, prospective contractors, subcontractors or prospective subcontractors.

c) Penalties

Any member, employee or a person associated with ATUC who knowingly and deliberately violates the provisions of this Code shall be targeted with appropriate measures by ATUC.

Any contractor or prospective contractor who knowingly and intentionally violates the provisions of these procurement standards shall be barred from future transactions with ATUC.

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