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# Procurement Act Notices

October 2023

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The Procurement Act 2023 sets out notices that are to be given at various stages of the procurement process. The below table sets out the notices in the Act in the order that they appear and whether they are mandatory.



Notice	Section of the Procurement Act 2023	Mandatory?	Brief Description
<b>Planned Procurement Notice</b>	Section 15	N	A notice announcing an authority's intention to commence a specific procurement in the future. If it is a "qualifying" planned procurement notice it reduces the minimum timeframe for the tendering period to 10 days (subject to the general rules on setting reasonable and proportionate time limits).
<b>Preliminary Market Engagement Notice</b>	Section 17	Y (unless authority published a justification for not publishing one in the Tender Notice)	A notice announcing that an authority is planning to conduct, or has conducted, a pre-market engagement exercise.
<b>Tender Notice</b>	Section 21	Y	A notice setting out an authority's intention to award a public contract and commence a procurement process.
<b>Dynamic Market Notice</b>	Section 39	Y	A notice setting out the establishment or modification of a dynamic market.
<b>Transparency Notice</b>	Section 44	Y (where awarding a contract under a direct award)	A notice setting out that an authority intends to award a contract directly without running a competitive tendering procedure.
<b>Contract Award Notice</b>	Section 50	Y (unless the contract is a defence and security contract awarded under a defence and security framework, or a user choice contract awarded as a direct award)	A notice setting out that an authority intends to enter into a contract.
<b>Contract Details Notice</b>	Section 53	Y (unless the contract relates to private utilities or is a user choice contract awarded as a direct award)	A notice setting out that an authority has entered into a contract.

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<b>Procurement Termination Notice</b>	Section 55	Y (unless the contract relates to private utilities)	A notice that an authority has decided not to award the contract after publishing a tender or transparency notice.
<b>Payments Compliance Notice</b>	Section 69	Y (unless the contract relates to a transferred Northern Ireland authority, private utilities, a concession contract or relates to a public contract awarded by a school)	A notice setting out specified information about an authority's compliance with the payment terms.
<b>Contract Performance Notice</b>	Section 71	Y (where an authority has set key performance indicators, and where the contract does not relate to private utilities)	A notice to publish information in relation to the performance assessment against key performance indicators of a contract, at least once every 12 twelve months during the life-cycle of the contract and on termination.
<b>Contract Change Notice</b>	Section 75	Y (subject to percentage allowances of the modification of the value or term of the contract)	A notice setting out that an authority intends to modify a contract.
<b>Contract Termination Notice</b>	Section 80	Y (unless the contract relates to private utilities or is a user choice contract awarded by direct award)	A notice setting out that a contract has been terminated.
<b>Below-threshold Tender Notice</b>	Section 87	Y (unless the authority advertises only for the purpose of inviting tenders from a particular or pre-selected suppliers)	A notice setting out that an authority intends to award a contract which has a value below the threshold for the application of the Act.
<b>Pipeline Notice</b>	Section 93	Y (where the authority anticipates a total spend of over £100m in a financial year, unless the contract	A notice setting out specified information about any proposed public contract with a value of more than £2m.

Notice	Section of the Procurement Act 2023	Mandatory?	Brief Description
			relates to a transferred Northern Ireland authority or private utilities)

