

Clyde Gateway Procurement Strategy 2021 - 2026



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Section 1.0

1.1 Introduction / Executive Summary

Clyde Gateway has, since 2008, worked to deliver the ambition and vision as set out in our Business Plan on behalf of its partners Glasgow City Council, South Lanarkshire Council and Scottish Enterprise and supported by the Scottish Government.

Our procurement strategy is aimed at promoting effective procurement for Clyde Gateway to support delivery of our Business Plan and regeneration aims. It strikes a balance between setting out a detailed plan for improving procurement, with specific targets, and a flexible framework. Clyde Gateway needs to be flexible to be able to respond to delivery of our aims and those of our partners whilst managing an operational and funding environment that can bring unforeseen constraints and opportunities.

Clyde Gateway does not have a dedicated procurement team and our procurement is delivered in house and at a project level. We comply with public sector procurement requirements and recognise that can be a changing environment. We seek to learn from our own experience and the experiences of others.

The overarching purpose of the strategy is to support the delivery of high quality projects that offer value for money and, in a sustainable way, take account of best practice, Scottish Government and EU procurement legislation.

Clyde Gateway comprises Clyde Gateway URC (CGURC) a charity limited by guarantee and Clyde Gateway Developments Limited (CGDL) a trading subsidiary limited by shares. Procurement is undertaken by both companies and both are referred to in this document.

1.2 Procurement Vision / Mission Statement

Our Procurement Vision statement:

“Clyde Gateway procures works, goods and services effectively and sustainably to ensure delivery of our regeneration aims and so that the needs of our communities are met. We will use our experience and expertise to deliver commercial excellence and deliver Best Value whilst achieving best in class community benefits. We will strive for continuous improvement throughout the project and procurement lifecycle.”

Our mission is to:

- Support Clyde Gateway's Business Plan targets for jobs and business space in an area of Scotland in need of inclusive economic growth. Our procurement will seek to optimise outcomes.
- Grow Clyde Gateway by delivery of an ambitious capital programme and property management functions. This will align to Scotland's Economic Strategy by promoting long-term sustainable investment in people, infrastructure and assets.
- Further progress Scotland's transition to a low-carbon economy by leveraging our status as Scotland's first Green Regeneration and Innovation District and embedding sustainability into our procurement.
- Ensure our communities benefit regardless of procurement scale or function.
- To be recognised as having leading commercial, procurement and commissioning practices and skills delivering outstanding outcomes.

1.3 Strategy Rationale / Context

Clyde Gateway is a public body and is defined as a 'contracting authority' which requires that, at all times, we are to comply with relevant Scottish Government Policies in relation to procurement. We also comply with the European Public Contracts Directive and its successor guidance where relevant.

Clyde Gateway does not have a dedicated procurement team and our procurement is delivered in house and at a project level. Our procurement strategy, policy and guidance notes are supplied as a suite of information to project managers and staff to support our duties in relation to procurement of Goods and Services.

Construction works and construction related activities form a significant part of the organisation's procurement activities. These projects are managed internally by a range of professional staff and supported by external project management, technical and legal advisors.

The overarching purpose of the strategy is to support the delivery of high quality projects that offer value for money, and in a sustainable way taking account of best practice, Scottish Government and EU procurement legislation where relevant.

The strategic approach for procurement has been developed to take account of several key business drivers; the contribution to the achievement of our regeneration aims and annual Key Performance Indicators (KPI's), the successful delivery of projects, the provision of high quality services to our customers and stakeholders all with Best Practice community benefit. Overall we wish to continually improve our procurement capability.

Procurement can be a complex area for Clyde Gateway given the changing funding environment and wide range of activities. It is incumbent on Project Managers and staff to assess our procurement requirements at an early stage and determine the most effective procurement strategy or approach to be deployed. Our strategy is aimed at promoting effective procurement across Clyde Gateway regardless of the scope and value of the procurement. It aims to strike a balance between setting out

a framework for the delivery of best practice procurement and delivering a detailed plan which will address specific targets.

The key objectives of this strategy are to:

- Make sure our procurement practice reflects our vision, values and regeneration aims.
- Secures commitment to excellent procurement from the Clyde Gateway team and our external advisors.
- Provide a point of reference and focus for procurement guidance.
- Ensure a high level of compliance and reduce risk for the organisation.
- Ensure our procurement supports our future sales and disposals of assets.
- Be seen as a benchmark for Best Practice in the delivery of community benefit in procurement.

It is important that Clyde Gateway and the boards of CGURC and CGDL are informed to make the right decisions to achieve the right outcomes. Clyde Gateway needs to be able to respond quickly and proactively to economic, social, legislative and political factors and policies as they change. This means that that we need a dynamic strategy for procurement ensuring there is a balance between best practice, compliance, value and efficient use of staff and financial resources.

UK-EU Exit – ‘Brexit’

Clyde Gateway recognises that the UK’s Transition Period on exiting the European Union ended at 11pm on 31 December 2020. Further technical changes to procurement legislation will be necessary over the period of this strategy but none of these technical changes will fundamentally change the procedures and processes of this strategy including regulated procurement, advertising and awarding of public contracts.

1.4 Strategic Aims, Objectives & Key Priorities

Clyde Gateway's original Business Plan published in 2008 set out the ambition and vision for Clyde Gateway as:

"A dynamic and sought after city location with a strong community, which will attract major investment and establish itself as one of the foremost places in the West of Scotland to live and work, supporting Glasgow's ambition to be a world class city region"

Much has changed since 2008 but this vision remains aligned to our objectives which were defined as Strategic Goals:

- Strategic Goal 1 - Sustainable Place Transformation
- Strategic Goal 2 - Increase Economic Activity
- Strategic Goal 3 - Develop Community Capacity

As part of our monitoring and evaluation framework we developed and monitor Key Performance Indicators (KPI's). These are reviewed bi-annually and provide informative data on performance against targets. The nine KPI's adopted by Clyde Gateway are listed here. KPI's 1 – 4 have a direct link to the original business plan targets particularly in supporting Strategic Goal 1 whereas KPI's 5 – 8 provide substantive indicators of progress made to support Strategic Goals 2 & 3. KPI 9 is cross cutting and is linked:

- KPI 1: Derelict and contaminated land remediated - **Target**
- KPI 2: Business Floor Space completed - **Target**
- KPI 3: Residential Units Constructed - **Target**
- KPI 4: Jobs created/new to Clyde Gateway area - **Target**
- KPI 5: Businesses Assisted
- KPI 6: Clyde Gateway Employability programme participants
- KPI 7: Participants in Clyde Gateway community engagement events
- KPI 8: Participants in additional learning/health/sports/capacity building
- KPI 9: Cross Cutting – Leverage

Clyde Gateway has continued to reflect regeneration policy by placing people at the heart of regeneration activities linking opportunity and need. This approach is embedded in our procurement and delivery of community benefit.

For this strategy Clyde Gateway has four strategic procurement objectives set out here and in Figures 1-4:

1. Compliance and governance.
2. Delivering best value with commercial awareness and risk mitigation.
3. Efficient use of staff and financial resources.
4. Delivery of best practice community benefit

Mandatory Requirements

Clyde Gateway recognises the requirement to comply with Section 15(5) of the [Procurement Reform \(Scotland\) Act 2014](#). Our regulated procurements will:

- contribute to the carrying out of its functions and the achievement of its purposes (2.5.1 of the Guidance under the Procurement Reform (Scotland) Act)
- deliver value for money (a balance of cost, quality and sustainability) (2.5.2)
- be carried out in compliance with its duty to treat relevant economic operators equally and without discrimination (2.5.3))
- be undertaken in compliance with its duty to act in a transparent and proportionate manner (2.5.4)
- comply with the sustainable procurement duty (2.5.5)

In addition we recognise:

- the use of community benefit requirements (2.5.6)
- consulting and engaging with those affected by its procurements (2.5.7)
- the payment of a Living Wage to persons involved in producing, providing or constructing the subject matter of regulated procurements (2.5.8)
- promoting compliance by contractors and sub-contractors with the Health & Safety at Work, etc. Act 1974 and any provision made under that Act (2.5.9)
- the procurement of fairly and ethically traded goods and services (2.5.10)

1. Compliance and governance. Figure 1.

Aims

- To adopt and implement the Procurement Reform (Scotland) Act 2014 and Procurement Regulations.
- To work within the legislation and procure with flexibility and scope to derive best value from procurement activity.

Actions

- Update and regularly review our policy and procedures.
- Deliver internal training and support to ensure compliance with the procurement rules.
- Identify 'Procurement Champions' within the organisation to cascade procurement requirements internally and to our professional advisors.
- Work with Legal advisors to ensure a cohesive approach to implementation of the regulations.

Outcomes

- Procurement activity will comply with statutory and regulatory requirements
- Procurement documentation updated to reflect new legislation.
- Mitigation of the opportunities for procurement challenge

2. Delivering best value with commercial awareness and risk mitigation. Figure 2.

Aims

- Determining the best possible procurement route to ensure fair, open and transparent competition.
- Deliver added value.
- To work within the legislation and procure with flexibility and scope to derive best value from procurement activity.

Actions

- Development of a project specific procurement strategy at the initial stages of a project or procurement requirement.
- Consider the use of procurement frameworks such as Scottish Government, Crown Commercial Services or models such as Scape.
- Collaboration with professional advisors and legal advisors to achieve our aims.
- Undertake a risk assessment of the chosen procurement.
- Undertake or participate in Supplier Forums or 'Meet the Buyer Events'
- Determine an effective commercial evaluation models (for example, whole life/life cycle costing) and encourage innovation (outcome specifications/variant bids) to make sure and deliver best value.
- Work with Legal advisors to ensure a cohesive approach to implementation of the regulations.

Outcomes

- Efficient procurement
- Added value
- Mitigation of the opportunities for procurement challenge

3. Efficient use of staff and financial resources. Figure 3.

Aims

- Deliver efficient procurement recognising the expertise of the organisation.
- Ensure procurement is undertaken by the most efficient method to reduce time to support delivery of our regeneration aims within our financial constraints.
- Use pro-forma or templates where possible and share resources across the organisation.

Actions

- Consider the use of procurement frameworks such as Scottish Government, Crown Commercial Services or models such as Scape.
- Make use of Public Contracts Scotland.
- Determine minimum compliance for each procurement and consider whether that can deliver best value.

Outcomes

- Efficient procurement
- Leaner processes and improved procurement documentation
- Mitigation of the opportunities for procurement challenge

4. Delivery of Best practice community benefit. Figure 4.

Aims

- Deliver Best Practice community benefit taking full cognisance of the scope and value of the procurement.
- Deliver Community Benefit which meets the needs of our communities and has been identified by them as required.
- Support our suppliers to achieve the best possible outcomes.

Actions

- Ensure community benefits clauses are fully deployed in our procurement delivery.
- Establish a clear framework for each contract.
- Undertake monitoring and evaluation framework to determine outcomes.
- Take a flexible approach over the project lifecycle.

Outcomes

- Clear processes and improved procurement documentation.
- Targeted outputs.
- Mitigation of the opportunities for procurement challenge.

SME, Third Sector and supported businesses

As part of our Procurement Strategy we wish to improve access to public contracts for SMEs, the third sector and supported businesses. Our use of Public Contracts Scotland (See Section 2.1, Page 17) to advertise contracts makes it easier for SMEs to access Clyde Gateway regulated procurement of values of £50,000 and above for goods and services and of £2 million and above for works.

As part of our Strategic Goal 2 - Increase Economic Activity we work with partners to consider how SMEs and third sector organisations can win work and grow their business. As part of this strategy will consider the impact on and ease of access for SMEs and third sector organisations. This could include:

- Splitting larger requirements into smaller lots, making it easier for smaller firms to bid for work.
- Reducing our requirements for Insurances and Professional Indemnity Insurance to minimum levels where the commercial risk assessment allows.
- Encouraging collaboration where SME's can participate with large organisations.

A public body such as Clyde Gateway is also able to reserve contracts to Supported Businesses whose main aim is the social and professional integration of disabled or disadvantaged persons, and where at least 30% of the employees are disabled or disadvantaged persons.

1.5 Spend / Finance

Introduction

Clyde Gateway comprises CGURC a charity and CGDL a trading subsidiary. Procurement is undertaken by both companies.

Our work is informed by our 20-Year Business Plan (see section 1.4).

At an operational and delivery level each year the boards of both companies endorse a rolling three year Operating Plan. The process balances likely or confirmed grant awards, prudent forecasts of other anticipated income sources (i.e. land and property sales and rental receipts) and available reserves against existing expenditure commitments and planned projects. This process supports our annual procurement plan and predicted expenditure.

The Operating Plan process identifies possible further projects and programmes considered necessary to meet Clyde Gateway's ambitious regeneration targets and their potential funding sources. Our procurement therefore needs to be flexible to be able to respond to accelerated delivery of projects. Also unforeseen opportunities and constraints may arise within the year which may require accelerated procurement.

Re-forecasts of the Operating Plan are performed throughout the year and the Clyde Gateway Procurement plan is updated to reflect the current position.

The Operating Plan may contain commitments or projects which are not subject to our procurement policies. This is where Clyde Gateway is providing grant or support to third parties including loans, employment or training support.

Acceptance of contracts must only be undertaken by staff with the appropriate level of delegated authority.

Category – Expenditure & Activities.

For the purposes of the procurement strategy Clyde Gateway has defined its expenditure categories as:

| Category | Description |
|-------------------------------------|--|
| Construction Works | <p>Clyde Gateway undertakes wide range of construction activity including the remediation of brownfield land, infrastructure, landscaping and public realm works. We also undertake procurement of construction works in the provision of offices, industrial and other workplaces. We do not procure housing or residential development.</p> <p>All construction types are included in this category and it typically makes up the largest item of expenditure.</p> |
| Construction Related Services | <p>These are professional and other services to support Construction works it includes surveys. Feasibility studies and professional fees such as Project Management and Design Team services.</p> |
| Property & Facilities Management | <p>Clyde Gateway owns and operates a property portfolio including Red Tree Business suites. We procure directly and via Property Managers a range of Property & Facilities Management functions such as building maintenance, ground maintenance, cleaning and other costs.</p> <p>Over the period of the strategy 2020-25 the disposal of assets will reduce this expenditure heading.</p> |
| Consultancy & Professional Services | <p>These are Consultancy & Professional Services which are not construction related.</p> |
| Legal Services | <p>These are legal costs incurred in the operation of our activities including construction. Our Legal Services are mostly provided via a Framework operated by our partner Scottish Enterprise.</p> |
| IT, Voice & Data Services | <p>This is costs incurred in the operation of business and property portfolio. It does not include critical and day to IT which is provided to us by Glasgow City Council.</p> |
| Other | <p>This includes general and other activity to support our delivery aims from time to time it may include signage, marketing, PR and other support services.</p> |

Category – Annual Spend

In the three years prior to the publication of this plan our annual spend was:

| Category | 2017/18 - £ | 2018/19 - £ | 2019/20 - £ | Ave |
|-------------------------------------|-------------------|-------------------|-------------------|-----|
| Construction Works | 9,926,339 | 4,339,324 | 8,042,790 | 59% |
| Construction Related Services | 2,408,798 | 3,803,785 | 1,842,427 | 21% |
| Property & Facilities Management | 957,986 | 1,248,748 | 1,431,273 | 10% |
| Consultancy & Professional Services | 628,611 | 617,055 | 952,891 | 6% |
| Legal Services | 157,750 | 268,526 | 289,491 | 2% |
| IT, Voice & Data Services | 209,232 | 215,861 | 171,333 | 2% |
| Other | 54,722 | 98,749 | 50,303 | 1% |
| Total | 14,343,438 | 10,592,049 | 12,780,509 | |

Achieving Best Value – Quality and Price

In procuring works, goods and services Clyde Gateway aims to achieve its strategic goals and improvement in KPI's balanced with its procurement objectives and Community Benefits objectives.

Delivering best value with commercial awareness and risk mitigation is a stated objective of this strategy and a key method deployed by Clyde Gateway is the use of Quality / Price criteria as part of tender or bid assessments and supplier selection. This is also known as the Most Economically Advantageous Tender (MEAT) method and most awards of contracts by Clyde Gateway will be made on this basis, it requires that the evaluation takes account of the quality and price of the tender against the requirement and not just the price or the quality. This supports our efforts to achieve Best Value.

The range of Clyde Gateway's activities often requires one-off procurements such as construction works or specialist advice. Using quality and price as a part of the procurement process with clear scoring methodology allows Clyde Gateway to objectively test the quality of a submission and how a supplier can meet the requirements of the project. This is a common method across the Public Sector and it supports our objective to 'deliver best value with commercial awareness and risk mitigation'.

Occasionally Clyde Gateway may seek a price only bid typically for goods, repeat procurements or low risk procurements where price is the determining factor for best value.

Mandatory requirements – Payments to Suppliers

Clyde Gateway is committed to paying its suppliers within 30 days of the date of receipt of agreed invoice where no other contractual arrangement applies. This covers payments from CGURC and CGDL to contractors and suppliers.

For our Construction Works 'The Housing Grants, Construction and Regeneration Act 1996' (also known as the Construction Act) applies and this includes provisions to ensure that payments are made promptly throughout the construction supply chain. Through our construction contract terms and conditions we will also recommend adoption of the principles of fair payment practices. The procedures of which are intended to ensure transparent and proper payments are made to the main supply chain members within 30 days.

1.6 Recommendations and Other Content for Consideration

Frameworks

Clyde Gateway will consider the use of Frameworks for the supply of Goods, Works and Services where their use can benefit the project to achieve procurement or other objectives. We also access Frameworks procured by our partners where Clyde Gateway can legally access the framework and where we can demonstrate best value. We will indicate on our annual procurement plan where a Framework may be considered but use of which will remain subject to review.

The current external Frameworks Clyde Gateway access are:

| Framework | Clyde Gateway Procurement Category |
|--|---|
| Crown Commercial Services https://www.crowncommercial.gov.uk/ | Construction Works Construction Related Services |
| SCAPE https://www.scape.co.uk | Construction Works Construction Related Services |
| Scottish Enterprise – Legal Framework 2020-2024 https://www.scottish-enterprise.com/contact-us | Legal Services |

Clyde Gateway may also seek to procure Goods and Services by establishing a Framework for exclusive use of Clyde Gateway. This method of procurement is adopted where a Framework would offer the most effective and value for money solution or there is no reasonable and practical alternative.

The current internal Frameworks are:

| | |
|---|--|
| Clyde Gateway Property Services Frameworks 2021-2024 | Construction Related Services Consultancy & Professional Services |
| Clyde Gateway Landscape Maintenance 2021-2024 | Property & Facilities Management |

Clyde Gateway is a member of Hub West Scotland and can access their services:

| | |
|--|---|
| Hub West Scotland https://hubwestscotland.co.uk/ | Construction Works Construction Related Services |
|--|---|

Grant support & procurement

Clyde Gateway provides grant contributions to community and other third party organisations to support our regeneration objectives including for example; employability, education, health, sport and wellbeing. We do not procure Goods, Works or Services on their behalf and procurement compliance rests with the third party.

1.7 Monitoring, Reviewing and Reporting on Strategies

Clyde Gateway operates internal governance processes and, as part of this strategy, procurement performance management, monitoring structures and processes will be implemented. This process will comprise:

| Process | Description | Measure or target. |
|------------------------------------|---|--|
| Goods, Works & Services - Approval | The strategy or approach for each procurement will be set out in Board or Delegated Authority papers according to the System of Delegated Authority. | All projects above £10k have approval. Reduction in exceptions or single supplier awards. |
| Monthly Reporting | A monthly procurement report will be prepared and considered by the Accountable Officer and Clyde Gateway Management Group. This will set out procurements underway, value, outcome and awards. | 90% of procurements completed on time. 90% awards notified. |
| Internal Audit | Procurement will be reviewed as part of internal audits of projects. | No A or B Internal audit recommendations in relation to procurement. |
| Annual Report | In line with the act an annual report shall be prepared and presented to the boards of CGURC and CGDL. | Review of objectives: 1. Compliance and governance. 2. Delivering best value with commercial awareness and risk mitigation. 3. Efficient use of staff and financial resources. 4. Delivery of Best practice community benefit. |

1.8 Strategy Ownership and Contact Details

The Clyde Gateway Procurement Strategy has an identified Project Owner and a Project Sponsor. Reports are made to the Clyde Gateway Chief Executive as the accountable officer and to the Boards of CGURC and CGDL.

| Procurement Strategy - Role | Person |
|------------------------------------|--|
| Accountable Officer | Ian Manson Chief Executive |
| Project Owner | Barry Macintyre Chief Operating Officer |
| Project Sponsor | Martin McKay Executive Director of Regeneration |

Any e-mail queries relating to the Procurement Strategy should be sent to:

enquiries@clydegateway.com with the title 'Procurement Strategy'

Postal Enquires may be made to:

Clyde Gateway, Olympia, 2-16 Orr Street, Bridgeton Cross, Glasgow, G40 2QH

Telephone enquiries may be made to:

0141 276 1573

Section 2.0

2.1 Policies, Tools & Procedures

Clyde Gateway Practice Notes

In exercising its procurement obligations and to support staff internal guidance and policies, called Practice Notes are provided:

| Practice Note Reference Project Management / Year / Practice Note Number | Title |
|---|------------------------|
| PM14PN02 | Procurement Thresholds |
| PM21PN02A | Procurement Exceptions |
| PM14PN08 | Community Benefits |

Public Contracts Scotland (PCS)

Clyde Gateway is a registered user of PCS and it used to advertise contracts and opportunities. All regulated procurement must be advertised on PCS which is Clyde Gateway's primary procurement portal. PCS is also used for 'Quick Quote' procurements for lower value or non-regulated procurements.

The website is here:

<https://www.publiccontractsscotland.gov.uk/>

Clyde Gateway's Buyer Profile can be found here:

https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA11703

External Resources

Clyde Gateway refers to Scottish Government Guidance and Procurement policy in exercising its procurement obligations. The following resources are therefore used as appropriate:

Scottish Government: <https://www.gov.scot/policies/public-sector-procurement/>

Procurement Journey: <https://procurement-journey.test.wsdev.org/>

Procurement & Commercial Improvement Programme (PCIP): <https://procurementjourney.test.wsdev.org/pcip/pcip-overview>

Scottish Government Construction Procurement: <https://www.gov.scot/policies/public-sector-procurement/construction-procurement/>

2.2 Freedom of Information

All information received by Clyde Gateway during a procurement is treated in strict commercial confidence. However Clyde Gateway is subject to the Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Act 2004.

During a procurement Clyde Gateway may require to make public, under the Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Act 2004 or otherwise (“FOIA”), details of all matters relating to a procurement unless such details fall within an exemption under FOIA as may be applicable at the discretion of Clyde Gateway if that such exemption shall apply and (in respect of commercially sensitive information only) a bidder advises in writing that disclosure of specified information would or would be likely to substantially prejudice commercial interests.

As part of this strategy a statement on Freedom of Information will be contained in the procurement documentation.

A FOI statement can also be found on the Clyde Gateway website: www.clydegateway.com

2.3 Version Control & Notes

| Version | Date | Comment | Prepared by | Approved by |
|---------|----------|---|-------------|-------------|
| 1.0 | 19/11/20 | First Draft. | M McKay | |
| 2.0 | 12/01/21 | Draft for Comment. | M McKay | |
| 2.1 | 26/01/21 | Category Spend Table P12 completed. | M McKay | |
| 2.2 | 01/03/21 | Management Group comments / amendments | M McKay | |
| 2.3 | 22/03/21 | COO comments / amendments | M McKay | |
| 2.4 | 29/06/21 | Frameworks Updated. Final for publication | M McKay | |
| | | | | |