

PROCUREMENT POLICY

ACCESS TO NUTRITION
FOUNDATION

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1. Preamble

1.1. ATNF is a global foundation actively challenging the food industry, investors, and policymakers to shape healthier food systems. We analyse and translate data into actionable insights, driving partnerships and innovations for market transformation, ensuring access to nutritious and sustainable food for all. We improve market performance by driving key actors in the food system - starting with industry -- to accelerate access to affordable nutritious foods for all, especially vulnerable consumers, in a sustainable way. We develop, deliver and translate data-driven tools and strategies that catalyse market change for nutrition.

1.2. In pursuit of this mission, ATNF requires goods and services from external sources for the implementation of the projects.

1.3. ATNF is mindful of the fact that it has been entrusted with both public and private funding to carry out its mandate. Expenditure involving procurement processes is a significant proportion of the annual budget.

1.4. The Procurement Policy sets out the principles that shall govern the procurement of goods and services of ATNF.

2. Purpose

2.1 This policy aims to ensure that ATNF obtains the best value for money in the procurement of goods and services.

2.2 This policy provides guidelines to ensure the consistent application of procurement practices and adherence to international standards, promoting transparency and accountability. The selection, contracting, management, and monitoring of suppliers or service providers are aligned with the principles of efficiency and economy, equal opportunity, transparency, sustainability, and best value for money.

3. Scope of Application

3.1 This policy covers the procurement of goods and services required by ATNF and is supported by procedures that give effect to the policy requirements.

3.2 This policy covers the standard procurement cycle from project initiation to final delivery or performance and contract completion and covers procurement of goods and services needed for office and general organizational purposes.

3.3 Where relevant, in the procurement of services from individual consultants, the Consultancy Agreement should be applied.

4. Institutional Framework

4.1 There are several regulations, policies, and procedures that influence and enable management processes and as such should be read in conjunction with this policy:

- a) Legal statutes of the Access to Nutrition Foundation;
- b) ATNF's vision, mission, and strategy;
- c) Risk Management Policy;
- d) Code of Conduct & Ethics Policy;
- e) Conflict of Interest Policy;
- f) Data Protection Policy;
- g) Fiduciary Risk Policy;
- h) Service Provider Agreement;
- i) Consultancy Agreement;
- j) Employee Handbook;
- k) Anti-Bribery Policy;
- l) Whistleblower Policy, and
- m) Gift Policy.

5. Core Policy Principles

5.1 The procurement of goods and services shall be conducted in a manner that is based on the principles set out below.

- a) **Best interest of ATNF:** to carry out procurement activities in a manner that best enables the foundation to reach its general and specific objectives in line with applicable procurement policies and procedures.
- b) **Value for Money:** the selection of the service provider will be made by balancing the combination of whole-life cost, quality, and sustainability to meet ATNF requirements.
- c) **Competition:** Procurement will be done competitively and respect the prescribed competitive thresholds. Requests for Direct Awards where a competitive process is not to be undertaken should normally be limited to exceptional cases and should be approved by the Management or ATNF Board Audit Committee.
- d) **Equitable and Unbiased Selection:** No bidder shall be unjustifiably discriminated against, and no bidder shall receive an unfair competitive advantage. Contracts should not be awarded to entities determined to be ineligible in this policy. Management will annually report to the ATNF's Board Audit Committee on the procurement process, including any given exceptions or cases of non-compliance.
- e) **Transparency:** The information on the public procurement process must be available to everyone unless there is a valid reason to keep it confidential. Procurement and selection will be done transparently. Selection criteria in the case of open competition will be clearly stated and publicized.
- f) **Efficiency and Effectiveness:** Procurement should be done in a way that efficiently uses ATNF's resources. The work involved and associated costs of a procurement process should be commensurate with the character, volume, and type of procurement. It should also be effective in that it meets the needs of the end-user and achieves the objectives of ATNF. The contract will be awarded to the Highest Rated Quote/Proposal that complied with the procurement process terms.
- g) **Adequate planning:** Sufficient time should be allowed for a procurement process to ensure timely and successful implementation of activities and to ensure compliance with the principles of the procurement policy. This includes adequate time for the required level of quality assurance, review, and internal approval. Failure to do so risks that the

procurement will be carried out in a manner that is in contravention of good procurement practice, the policy or that delivery of the requisite goods and services will be delayed which will impact on program and project delivery. Retroactive financing is not permitted. The commitment must be approved, and the relevant contract agreements concluded before activities begin.

- h) **Procurement Ethics:** Trust in the integrity of the procurement function is essential to ATNF. All parties involved must observe the highest ethical standards during all stages of the procurement process. Contracts must not be awarded to organizations/individuals who have been involved in exclusionary behaviors. Staff Members are prohibited from accepting any gift, payment, consideration, or benefit of any kind that could be considered an inducement for the award of a contract. Further, procurement decisions shall not be based on gender, race, nationality, ethnic origin, religion, disability, age or sexual orientation and other gender identities and expressions.
- i) **Sustainability:** Procurement of goods and services should consider the possible effects on the environment, local economic circumstances, human health and safety and preference should be given to those offers that make a positive impact on the environment.
- j) **Human rights:** Suppliers and service providers are required to adhere to international human rights standards, ensure fair labor practices, prohibit child and forced labor, and promote safe and equitable working conditions.

6. Procurement Authority

6.1 The appointed Project Lead shall carry out the procurement process with efficiency, impartiality, and integrity and to ensure that:

- a) all procurement activities are properly documented and submitted to the relevant approver; and
- b) the intended procurement process is in the best interest of ATNF.

6.2 Authorized Staff Members with a delegated procurement authority must ensure that actions undertaken under their supervision comply with this Procurement Policy and all other relevant policies and procedures.

6.3 The Procurement Procedures outline the segregation of duties to reduce risk. No single individual or team shall control all key stages of the procurement process. Segregation of duties shall be subject to regular review and monitoring by Management.

7. Types of Requirements

7.1 **Service Providers for project implementation:** These are activities where service providers are responsible for or delivering services for (a specific part of a project for) ATNF. The details will be set out in the Terms of Reference and the contract budget. Service providers require active management and monitoring and report with detailed expenditure listings and narrative reports.

7.2 **Goods and supplies:** Supplies are trackable goods, such as a projector or a mobile phone, materials, and consumables. They tend to be consumed or be in use over the short to medium-term but to have a shorter lifespan than fixed assets. Individually, these tend to be low-cost items but because they may be used or consumed in larger quantities, the total cost may be a significant amount in a one-year period. A review of historic accounts and supplier payments can provide an estimate of the annual cost of such supplies, which figure can be used to determine whether there is a need to carry out competitive procurement. Consideration should be given to sustainability and environmental issues when considering the procurement of goods and supplies.

7.3 **General services:** Services such as repairs and maintenance of equipment or furniture, janitorial or security services, lease of office space, offsite storage, transport services, logistics services, media advertisements, health maintenance services, IT services, Travel related services and other similar services.

7.4 **Events:** Events is an umbrella term in this policy to cover all types of meetings, training sessions, workshops, seminars, and other similar events required as part of the programmed and institutional activities of ATNF. The events to be carried out should be considered for their environmental impact. The supplier that provides the venue for the event is treated as the main supplier for an event. It is the expected price of this contract that determines whether the procurement method should be a non-competitive or a competitive process. Contracts with other suppliers for services related to the event (e.g. translation services) should follow the procurement method for services.

7.5 **Consulting Services:** These are activities requiring external technical and professional expertise beyond ATNF internal capacity, such as research, feasibility studies, and related services and are provided by individual consultants or firms. For individual consultants, please refer to the Consultancy Agreement.

8. Procurement Cycle

8.1 The procurement cycle consists of five (5) steps as follows:

- a) Annual procurement planning;
- b) Transaction specific procurement planning;
- c) Conducting the procurement process;
- d) Contract preparation; and
- e) Contract management.

8.2 **Annual Procurement Planning:** The process of assessing the procurement needs of ATNF in order to determine its procurement strategy. It is considered an important tool for managing procurement needs in an effective, efficient, and timely manner, as the key to meeting the procurement principles lies in procurement planning. To facilitate efficient planning of resources, effective procurement and delivery and implementation of the projects, Project Leads shall prepare their annual procurement needs and send this to ATNI's Management Team for compilation in the annual procurement plans.

8.3 **Transaction specific procurement planning:** When planning specific procurements, the following should be considered:

- a) **Budget:** Preparation of cost estimates and confirmation of budgeted funds. The Project Lead should plan to purchase goods or services as far in advance as practical and include them in their forecast project budget. A project must accomplish objectives according to the forecasted budget. The estimated cost of the requirement can be derived from the previous records of purchase, or if no previous purchase for this type of requirement exists, the Project Lead can review the current market price by market research or request potential suppliers/service providers for an indicative quote.
- b) **Requirement Definition:** Defining the procurement requirements and setting clear specifications is the key to securing compliant offers or proposals. The Project Lead should identify the project's precise needs in a Terms of Reference document (TOR), except in situations where **9.2 Request for direct award** is applicable. In cases where the specifications are not fully known, market research should be conducted to check their availability in the market. For IT goods this must be coordinated with our IT Partner to ensure that the specifications are correct.
- c) **Procurement Method:** During the planning stage, the selection of the appropriate procurement method to be used should be determined. The method to be used is based on the procurement value, the market conditions, operational environment, and donor's requirements.

8.4 **Procurement Process.** After planning, the Project Lead will conduct the procurement process following the procurement method according to the procurement threshold and specific requirements of the procurement.

8.5 **Contract Preparation -** The draft contract should be prepared after the evaluation has been conducted and the recommended supplier or service provider has been identified. ATNF uses standard templates to formalize contract agreements with suppliers. In addition, the supplier's own standard template may be used where it is considered more appropriate and their terms and conditions are acceptable, although in this case a declaration of honor is required. The templates used by ATNF range from a simple one-page Purchase Order to a more detailed contract document outlining the general terms and conditions, the terms of reference, and a budget. The type of template used depends on the procurement category, the service's nature, and the contract's value.

8.6 **Contract Management.** The contract management stage is defined as the period between the signing of the contract or agreement and the satisfactory completion of the assignment. The Project Lead is the Staff Member responsible for managing the contract but may delegate some of the administrative aspects of contract management. The Project Lead will, however, remain responsible for the contract outcome. Payment for service or goods contracts shall be made according to the specific terms of each contract against invoices issued by the service provider. The service provider should be notified immediately and in writing of any failure in performance or deliveries.

9. Procurement Methods

9.1 Within the relevant thresholds the process shall be open on equal terms to all legal and natural people, regardless of their origin, nationality, gender, or other characteristics as applicable, except for those who are excluded in terms of section 14 of this Policy. We use three methods:

9.2 **Request for direct award (RDA):** Contracting without competition. The Project Lead will source and negotiate an agreement with one supplier. It is not necessary to obtain three quotes, but it is necessary to write and file a sole source justification and obtain approval from ATNF's Management Team. RDA is allowed in one of the following circumstances:

- a) If the procurement value is €10,000 or less (combine requirements for larger purchases instead of getting quotes frequently), or;
- b) When there is a valid and ongoing (Framework) agreement between ATNF and the supplier, or;
- c) For goods that have no equivalent items available on the market and items cannot be replaced due to compatibility issues with the current set up of the project. It should be determined whether the supplier is the exclusive manufacturer or distributor or if a change of supplier will affect the warranty or after-sales services of existing equipment. The Project Lead should secure from the supplier the certificate of manufacturer or certificate of exclusive distributorship from the principal company that manufactured the product, or;
- d) For services where the supplier is a recognized expert or has specific skills or contextual knowledge that is required for the project that is not easily obtainable elsewhere. Or;
- e) For reason of urgency brought by events unforeseeable by ATNF. The urgency of the requirement should be clearly defined, and the actions taken by the Project Lead. The circumstances invoked to justify the urgency should not be attributable to poor planning and or processing delays on the part of the Staff Members, or;
- f) There is a compelling reason to protect the confidentiality of the project, or;
- g) If it is a donor or funder partner requirement or recommendation to appoint a named service provider, or;
- h) If the procurement is directly related to a previous assignment.

9.3 **Restricted Competition:** The threshold for restricted competition is between >€10,000 and €50,000. This is a competitive process where quotes are sought from several identified suppliers based on a Request for Proposal (RFP). A minimum of three quotes must be sought. The proposals are evaluated, and a supplier is chosen based on the selection criteria that were indicated in the RFP or TOR. If only one supplier or service provider submitted a proposal, it will be evaluated and selected if found compliant. ATNF's Management Team must validate the final decision to proceed with the selected supplier.

9.4 **Open Competition.** Procurement of goods or services with an expected value over € 50,000 must be carried out by public tender, unless an exception as mentioned in **9.2 Request for direct award**, is applicable. Although not a requirement, an open competitive process can also be carried out when the value is expected to be less than €50,000 if a Project Lead considers it advantageous to explore the market on a wider scale to source a supplier. An open competition is a tender that is publicly advertised in which qualified suppliers are asked to submit a bid or proposal to provide specific goods or services based on an RFP or TOR. The tender is advertised

on ATNF's website. The open competition provides eligible potential bidders with adequate notification and equal access and fair opportunity to compete. Public tenders require careful planning and enough time to complete the process, which may be up to three months. They also require careful monitoring and oversight during the process as any weakness or failure in the procedure could call the integrity of the process into question, and leave it open to challenge. The Management Team will share the outcome of this selection process with the ATNF's Board Audit Committee. Any procurement decision with a value more than € 150,000 must be validated by ATNF's Board Audit Committee.

10. Addendums and Extensions

10.1 Contracts may have to be modified if the circumstances affecting project implementation change after the contract is signed. Contract modifications must be formalized in an addendum to the contract signed by both parties. In high value or complex contracts, changing circumstances will require modifications to the scope, work plan or deliverables under the contract. These should be anticipated in the planning stage and included in the specifications for the service.

10.2 The following changes may be made without invoking a new procurement procedure, namely:

- a) Changes to supplier details, such as a change of name or bank details. These should be formalized through an addendum to the contract except in the case of changes to contact details which may be notified by the service provider in writing;
- b) If the time for performance is extended. A 'grace period' of ten working days will apply to all contracts that experience delays, during which the need for an addendum will be waived. Any further delays to the performance period will require a formal written addendum;
- c) Complementary services that have become necessary to perform due to unforeseen circumstances. These complementary services must be technically and economically inseparable from the main contract;
- d) Supplementary services that consist of the repetition of similar services entrusted to the contractor under the initial contract.

10.3 The following changes require a new procurement process which would normally be a Request for Direct Award, namely:

- a) Major changes, such as a fundamental alteration to the Terms of Reference, may not be made by means of an addendum;
- b) Unit prices, particularly fee rates, may not be changed by means of an addendum;
- c) New procurement processes resulting from the changes above will be approved by the delegation of authority.

11. Cancellation of Contracts

11.1 In exceptional circumstances, it may be considered in the best interests of ATNF to cancel a contract due to, among other things, non-performance by a service provider. It may also be the case that a service provider wishes to cancel a contract. In these circumstances the Executive Director will consider and approve the cancellation.

12. Deviations

12.1 In exceptional circumstances, it may be considered in the best interests of ATNF to deviate from the procurement policy or procedures. The Executive Director has the authority to waive the application of certain provisions of the Policy and related procedures. If this waiver is applied, the case must be sent to the Finance & Audit Committee for review at its next meeting.

13. Conflict of Interest

13.1 All stakeholders in the procurement process are required to provide professional, objective, and impartial services or advice, always prioritizing ATNF's interests without consideration for future work. They must strictly avoid conflicts with other assignments or their own interests. ATNF and its service providers must adhere to the ATNF Conflict of Interest Policy during procurement and contract execution. Service providers shall not be contracted for activities that conflict with their prior or current obligations to other parties or that may prevent them from carrying out the assignment in the best interest of ATNF.

13.2 It is the responsibility of ATNF Staff Members to promptly disclose any conflicts of interest and address them in accordance with our Conflict of Interest Policy. The Project Lead shall ensure that instructions to disclose conflicts of interest are clearly communicated to all tenderers and potential service providers.

14. Exclusion due to Corrupt, Fraudulent, and Unacceptable Practices

14.1 ATNF and its service providers must adhere to the ATNF Code of Conduct during procurement and contract execution. The following practices are considered unacceptable and may result in a service provider's exclusion from tender processes or contract termination:

- a) Bankruptcy, insolvency, or winding-up procedures.
- b) Failure to meet tax or social security payment obligations.
- c) Grave professional misconduct, including fraud, competition distortion, intellectual property rights violation, and attempts to influence decision-making.
- d) Conviction for fraud, corruption, participation in criminal organizations, money laundering, terrorist financing, child labor, or trafficking.
- e) Significant deficiencies in contract performance leading to termination or penalties.
- f) Irregularities as defined by applicable regulations.
- g) Situations as described in audits, investigations, or decisions by relevant authorities.
- h) Creation of entities to circumvent legal obligations (shell companies).

14.2 If a service provider discloses an exclusion situation, it must outline remedial measures taken to demonstrate reliability. The decision to appoint a service provider with exclusion circumstances will be made by the Board, considering proportionality and remedial measures.

15. Dispute Resolution

15.1 Whenever possible, an attempt shall be made to settle any dispute arising from the interpretation or execution of a contract by informal negotiations between the supplier or service provider and the Project Lead. If informal negotiations are unsuccessful in settling disputes, these should be escalated to the Executive Director.

16. Risk Management

16.1 Risk analysis and risk management are carried out under policies approved by ATNF. Risks are formally assessed based on the categories and criteria present in the ATNF's risk register.

16.2 There are a variety of risks inherent in the procurement process. The impact of any unwanted event occurring and the likelihood of that happening will vary depending on the nature and value of the procurement as has been Staff Members involved in procurement are required to consider risk when planning procurement processes, and in the management of contracts.

17. Policy Controls

17.1 This Procurement Policy supersedes all previous Procurement Policies and may be amended from time to time as deemed necessary to reflect changes in best procurement practice.

17.2 Interpretation authority contained in the Procurement Policy is vested in the Executive Director, who has the authority to rule on any cases of ambiguity in the interpretation and application of the Policy.

17.3 ATNF as a whole is responsible for executing this policy. The Executive Director must report on the policy and specific problems experienced in its implementation as required and is authorized to propose standard operating procedures in support of this policy if required.

17.4 Sanctions may be imposed in terms of the Disciplinary Procedure on any Staff Member that fails to comply with this policy.

17.5 No amendment(s) may be made to any section of this policy without following the appropriate procedures.

17.6 Any deviation from this policy must be expressly approved in writing by the Executive Director or his/her delegate.

18. Glossary of Terms and Definitions

18.1 Bid - a quotation or tender submitted by a bidder.

18.2 Contract - An agreement between two or more parties' specific terms and conditions including a Framework contract, Services contract, or a Consultancy contract.

18.3 Declaration of Honor - a statement by a supplier or service provider affirming their compliance with ethical standards, legal requirements, and the terms of the procurement process.

18.4 Deliverables - the tangible outputs of a contract. Examples are a research paper, an evaluation study or hotel accommodation.

18.5 Deviation - a decision made not to follow the procurement policy or procedures due to exceptional circumstances in the best interests of ATNF.

18.6 Framework contract - general terms and conditions under which the Service Provider Party will provide services to ATNF.

18.7 Funder - an Institution providing external funding to ATNF.

- 18.8 Highest Rated Proposal - the bid determined to be the best bid after the evaluation and rank highest among the proposals.
- 18.9 Procurement - the formal process of acquisition of goods and services.
- 18.10 Project Lead - the Staff member named as the person responsible for one or more projects and budget or responsible for office management and operations that affect the whole organization.
- 18.11 Request for Direct award (RDA) - Directly appointing a supplier as one of three procurement methods, only applicable if specific criteria are met.
- 18.12 Request for Proposal (RFP) - one of the soliciting documents used in an open competition to source a supplier to carry out a service. It informs a potential bidder of the requirements (e.g. qualifications, experience) necessary to carry out the assignment and the procedures to follow in submitting a proposal.
- 18.13 Requirements - a general term to describe the needs of a service or assignment.
- 18.14 Restricted Competition - the process of selecting a supplier based on comparing several proposals or quotes from a range of identified Suppliers.
- 18.15 Services - the outputs to be provided by a supplier or service provider.
- 18.16 Specifications (as part of a term of reference document) - a detailed description of the attributes of an item, typically used when purchasing goods and supplies.
- 18.17 Service Provider - any contractor, service provider, consultant or vendor who is contracted to provide goods or services to ATNF can be used interchangeably with the term 'supplier'.
- 18.18 Tender - a procurement method in which any qualified supplier in the open market can be invited to submit a quote to provide goods or services required by ATNF. It is also known as a public tender.
- 18.19 Terms of Reference (TOR) - a detailed description of what is required from an assignment, outlining such matters as the context, scope of work, deliverables, and deadlines; used in conjunction with the Request for Proposal.
- 18.20 Thresholds - the monetary values prescribed by ATNF to establish which Procurement Method must be used in relation to the different procurement categories.

19. Review

- 19.1 This policy was first approved by the board of ATNF on 12 July 2024, and the current version was approved by the management team on 02 February 2026, and will be of immediate effect applying to all new contracts or extensions after that date.



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