


CPR Version 5 - Tracked Amendments 2023

Key

 Highlighted in Red shows new wording

Existing CPR V3 Clause wording	Amended wording for V5	Comments / Rationale for the amendment
Lead Officers Responsibilities		
<p>4.4.1. The requirement cannot be obtained from existing corporate contracts, frameworks or other arrangements. Where corporate contracts, frameworks or other established procurement arrangements (e.g DPS) are in place, these must be used to satisfy that requirement. The Procurement section of the Intranet contains details of such arrangements. Further advice and guidance is available from CPU and;</p>	<p>4.4.1. The requirement cannot be obtained from existing corporate contracts, frameworks or other arrangements. Where corporate contracts, frameworks or other established procurement arrangements (e.g DPS) are in place, these should be used. However in exceptional circumstances when an alternative arrangement is to be used robust rationale must be justified and provided for prior approval must be sought from the departments Director and Director of Corporate Services. The Procurement section of the Intranet contains details of such arrangements. Further advice and guidance is available from CPU and;</p>	<p>As part of a Procurement Task and Finish group established in late 2022 the group reviewed our procurement arrangements and frameworks to establish if we are getting best value for money. It was also an opportunity to look how we currently procure and to see if things can be done differently or more innovatively. A T&F report was agreed in CMT on 09/02/23 and Pre-Cabinet on the 03/07/23 and one recommendation was to build flexibility into our Contract Procedure Rules to allow officers to go to open tender instead of using corporate contracts/frameworks where value for money or other circumstances justify this. Corporate contracts and framework should still be the default option. Necessary approvals would be required to deviate from these in order to monitor compliance.</p>

Thresholds		
<p>7.1. Quotations 7.1.1. Up to £5000 The Lead Officer should be satisfied that best value for money has been obtained, and that reasonable care has been taken to obtain goods, works or services of adequate quality at a competitive price. Confirmation of value for money should be retained on file by the Lead Officer. 7.1.2. £5,000 - £25,000 A minimum of 3 quotations should be sought from competitive sources and confirmed in writing, by letter, fax or e-mail. A documented record of the evaluation and decision to award must be recorded.</p>	<p>7.1 Quotations 7.1.1. Up to £10,000 The Lead Officer should be satisfied that best value for money has been obtained, and that reasonable care has been taken to obtain goods, works or services of adequate quality at a competitive price. Confirmation of value for money should be retained on file by the Lead Officer. Quotation should be sought from a Carmarthenshire supplier. 7.1.2. £10,000 - £25,000 A minimum of 3 quotations should be sought from competitive sources and confirmed in writing, by letter, fax or e-mail. A documented record of the evaluation and decision to award must be recorded. At least one quotation should be sought from a Carmarthenshire supplier.</p>	<p>As part of the Task and Finish Group referred to above, it was agreed in CMT and Pre-Cabinet to increase the lowest threshold from £5,000 to £10,000. This coupled with the ‘Think Carmarthenshire’ first requirement it was also agreed to add in wording to require officers to seek at least one quotation from a Carmarthenshire supplier. (As per the current rules officers must be able to provide evidence that they have tried to source such quotes and evidence where this isn’t possible).</p>
Exceptions and Waivers to Requirements of Competition		
<p>12.1.1.1. any advice or service provided by Counsel.</p>	<p>12.1.1.1. Any legal advice, service or representation provided by Counsel or a solicitor.</p>	<p>Wording provided by Legal Services to reflect the Public Contracts Regulations 2015 wording in Reg 10(1)(d)(ii)</p>
Modification or Extension of Existing Contracts		
<p>13.1. Provided the Lead Officer obtains the appropriate approval as set out in CPR 13.3, changes to an existing contract or framework above Threshold, or extend the term or scope of an existing contract, in any of the following circumstances</p>	<p>13.1. Provided the Lead Officer obtains the appropriate approval as set out in CPR 13.3, changes to an existing contract or framework above Threshold, or an extension to the term or scope of an existing contract or framework, in any of the following circumstances:-</p>	<p>To provide clarity that this is not required where contracts (from framework call-offs or otherwise) or frameworks provide for permitted changes in their terms and conditions.</p>

	<p>(NB: this clause is not applicable to call-off contracts from existing frameworks or where the contract or framework terms and conditions lay out permitted changes).</p>	
<p>13.3. The approvals you need to make changes in accordance with either CPR 13.1 or CPR 13.2 are as follows:</p> <p>13.3.1. If the original value of the contract was £5,000 or less, provided the Lead Officer is satisfied that the modification represents value for money there is no requirement to obtain approval for modifications worth up to £5,000.</p> <p>13.3.2. If the original value of the contract was above £5,000 and the contract was awarded using a competitive procedure which fully complied with these Contract Procedure Rules, the Lead Officer must obtain approval from:</p> <p>(a) the Head of Revenues and Financial Compliance and Legal Services Manager if the value of the modification will not exceed £75,000; and</p> <p>(b) the Monitoring Officer and Section 151 Officer if the value of the modification will exceed £75,000;</p> <p>Where a series of modifications are made to a contract, for the purposes of working out which approval is required under CPR 13.3.2 the value of any previous modifications must be added to the original contract value.</p> <p>13.3.3. If the original value of the contract was above £5,000 and not awarded using a competitive procedure which fully complied with these Contract Procedure Rules, the Lead Officer must comply with Clause 12 – Exceptions and Waivers to Requirements of Competition.</p>	<p>13.3. The approvals you need to make changes in accordance with either CPR 13.1 or CPR 13.2 are as follows:</p> <p>13.3.1. If the original value of the contract was £10,000 or less, provided the Lead Officer is satisfied that the modification represents value for money there is no requirement to obtain approval for modifications worth up to £10,000.</p> <p>13.3.2. If the original value of the contract was above £10,000 and the contract was awarded using a competitive procedure which fully complied with these Contract Procedure Rules, the Lead Officer must obtain approval from:</p> <p>(a) the Head of Revenues and Financial Compliance and Legal Services Manager if the value of the modification will not exceed £75,000; and</p> <p>(b) the Monitoring Officer and Section 151 Officer if the value of the modification will exceed £75,000;</p> <p>Where a series of modifications are made to a contract, for the purposes of working out which approval is required under CPR 13.3.2 the value of any previous modifications must be added to the original contract value.</p>	<p>Updated lowest threshold value to £10,000.</p>

	<p>13.3.3. If the original value of the contract was above £10,000 and not awarded using a competitive procedure which fully complied with these Contract Procedure Rules, the Lead Officer must comply with Clause 12 – Exceptions and Waivers to Requirements of Competition.</p>	
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