

## Audit Committee 24<sup>th</sup> March 2017

**Subject:** Amendments to Contract Procedure Rules

**Purpose:** To approve amendments to the Contract Procedure Rules

**Recommendations / key decisions required:**

Approval of amendments to the Contract Procedure Rules

**Reasons:**

The practical application of the Contract Procedure Rules (as approved by Audit Committee on 30<sup>th</sup> September 2016) has resulted in the need for further amendments to clarify the Authority's approach when dealing with Single Tender Actions. Further amendments have also been proposed to tighten up the rules.

**Relevant scrutiny committee to be consulted:**

Not Applicable

**Exec Board Decision Required**                      Not Applicable

**Council Decision Required**                      Not Applicable

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- Cllr David Jenkins

**Directorate:**

Corporate Services

**Name of Head of Service:**

Phil Sexton

**Report Author:**

Alan Aitken

**Designations:**

Head of Audit, Risk &  
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**EXECUTIVE SUMMARY**  
**Audit Committee**  
**24<sup>th</sup> March 2017**

**SUBJECT**

**Amendments to Contract Procedure Rules**

**BRIEF SUMMARY OF PURPOSE OF REPORT**

The Contract Procedure Rules were updated and approved by Audit Committee on 30<sup>th</sup> September 2016. These Rules have been applied to all procurement activity from this date onwards. In practice, some areas of the Rules have been open to interpretation (most notably in Clause 12 – Exceptions) which has resulted in these suggested amendments for clarity.

Due to ever emerging changes in case law in public procurement these Rules will remain a live document and any proposed future amendments will be brought to the Audit Committee for approval.

For further detail on the amendments and the rationale for the proposed changes please refer to the supporting document.

**DETAILED REPORT ATTACHED ?**

**YES**

## IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Phil Sexton Head of Audit, Risk & Procurement

Policy, Crime & Disorder and Equalities NONE	Legal  YES	Finance  Yes	ICT  NONE	Risk Management Issues  NONE	Staffing Implications  NONE	Physical Assets  NONE
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### 1. Legal

New Procurement Regulations impose new duties on the Authority.

### 2. Finance

The most significant amendment from a financial standpoint is the inclusion of the requirement that normally tender evaluations will be based on a minimum of 70% Price. Exceptions must be approved by the Section 151 Officer and Monitoring Officer.

## CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Phil Sexton Head of Audit, Risk & Procurement

**1. Scrutiny Committee** : Not Applicable

**2. Local Member(s)** : Not Applicable

**3. Community / Town Council** : Not Applicable

**4. Relevant Partners** : Not Applicable

**5. Staff Side Representatives and other Organisations** : Not Applicable

**Section 100D Local Government Act, 1972 – Access to Information**

List of Background Papers used in the preparation of this report:

**THESE ARE DETAILED BELOW**

Title of Document	File Ref No.	Locations that the papers are available for public inspection
N/A	N/A	N/A