

Suggested Amended Wording for Contract Procedure Rules

Current Wording in Revised CPR's as approved 30 th September 2016	Suggested amended wording	Explanation of Proposed Amendments /Rationale for changes
<p>Section 5.4. National Procurement Service 5.4.1. In the event of the NPS setting up an arrangement to meet a particular requirement, Carmarthenshire County Council must consider calling off that arrangement. Where there are exceptional circumstances, the Lead Officer, in liaison with the Procurement Manager must submit a report to the Section 151 Officer for Executive Board Member for Resources approval.</p>	<p>5.4. National Procurement Service 5.4.1. In the event of the NPS setting up an arrangement to meet a particular requirement, Carmarthenshire County Council must consider calling off that arrangement. Where there are exceptional circumstances, the Lead Officer, in liaison with the Procurement Manager must submit a report to the Section 151 Officer and Monitoring Officer for approval.</p>	<p>Changed approval for opting out of NPS frameworks from Executive Board Member to Monitoring Officer – this brings all approvals in the CPR's into line.</p>
<p>Section 7 - Thresholds</p>	<p>Removal of the following wording from end of Section 7.2 NB: Schools are required to follow the procedures outlined in the Financial Procedure Rules for Schools.</p>	<p>The current wording caused confusion as schools are required to comply with the Contract Procedure Rules for all purchases above £75,000.</p>
<p>Section 12.2.1.6 – Exceptions and Waivers to requirements of competition Tender exercises where the Tender Evaluation Panel considers that it is inappropriate to issue an advertisement as detailed in the Tendering Procedures in the Procurement Guidance.</p>	<p>Clause to be removed.</p>	<p>We cannot envisage any circumstances where we would use this clause as it appeared in the version approved on 30th September 2016. Sufficiently covered by the rest of the clauses in 12.2.1 as approved in September 2016.</p>

<p>12.2.2 Where a Single Tender Action (above £75,000, including a Negotiated Procedure without Prior Publication) is used the Lead Officer will be required to seek approval from the Monitoring Officer and Section 151 Officer. The Section 151 Officer will prepare a retrospective report to the Authority's Audit Committee with the reasons for the use of this procedure and the subsequent procurement activity undertaken</p>	<p>12.3.1. Where a Negotiated Procedure without Prior Publication is proposed (OJEU Procedure) the Lead Officer will be required to seek approval from the Monitoring Officer and Section 151 Officer.</p> <p>12.4.1 Single Tender Action Reporting The Section 151 Officer will prepare a retrospective report to the Authority's Audit Committee for all Single Tender Actions (exceptions granted above £75,000 under clauses 12.2 or 12.3 above) and the subsequent procurement activity undertaken.</p>	<p>No substantive change. Following feedback, the amendment is proposed to split the decision process (see 12.3) from the reporting requirement (see 12.4).</p>
<p>12.3 – Monitoring Officer and Section 151 Officer Decision (Above OJEU Threshold Value)</p>	<p>12.3.2. any exceptions and waivers to these Rules above the OJEU Threshold shall only be given in exceptional circumstances and will be authorised by the Monitoring Officer and Section 151 Officer following submission of a written justification by the relevant Lead Officer.</p>	<p>This is new wording added (along with the wording previously shown in 12.2.1.6). Request for exceptions below OJEU = 12.2.1.6 Request for exceptions above OJEU = 12.3.2</p>