

# GOVERNANCE & AUDIT COMMITTEE

30 SEPTEMBER 2022

## REVISED CONTRACT PROCEDURE RULES

**Recommendations / key decisions required:**

To approve the revised Contract Procedure Rules (Version 4).

**Reasons:**

Significant work has been undertaken to update the Contract Procedure Rules to take account of a number of changes in our procurement procedures and changes in terminology in light of the UK leaving the EU.

**Cabinet Decision Required:** N/A

**Council Decision Required:** N/A

CABINET MEMBER PORTFOLIO HOLDER: Cllr A Lenny

**Directorate:**

Corporate Services

**Name of Head of Service:**

Helen Pugh

**Report Author:**

Clare Jones

**Designation:**

Head of Revenues and  
Financial Compliance

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# EXECUTIVE SUMMARY

## GOVERNANCE & AUDIT COMMITTEE 30 SEPTEMBER 2022

### REVISED CONTRACT PROCEDURE RULES

The Contract Procedure Rules have been reviewed and updated to take account of a number of changes in procurement regulations and procurement policies/procedures.

The Contract Procedure Rules (CPR's) have been updated following detailed consultations with officers in legal and the Section 151 Officer and Monitoring Officer.

Here is a summary of the most notable changes that have been made:

- Deleted references to EU or OJEU throughout the document has been amended from 'OJEU' to 'Above Threshold'
- The evaluation criteria of all Authority led exercises over £25,000 has been amended from 70% based on price to 60% based on Price. Where this is inappropriate the agreement of the Director of Corporate Services must be sought. (Clause 8.3.1)
- For all Tenders above Threshold a Principal procurement Officer will attend and lead the Tender Evaluation Panel Meetings. (Clause 8.4.1)
- Amended wording on Sustainability in Clause 8.9 to reflect the Council's net Zero Carbon agenda.
- Updated the Contract Management clause (11.1) to advise of new Contract Management Guidance available (due to go live end of September).
- Exceptions and Waivers to Competition – Clause 12, the Section 151 Officer and Monitoring Officer have delegated authority to the Head of Revenues and Financial Compliance and the Legal Services Manager to consider, and approve as required, exceptions and waivers to competition (clause 12) and modification of contracts (clause 13) up to the value of £75,000.
- New clause on Modifications of existing contracts – Clause 13. This Clause provides clarity on permitted circumstances and the necessary approvals to modify an existing contract.

A document including the tracked updates is attached for information.

The following report is attached for approval:

#### **Contract Procedure Rules**

**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: H L Pugh – Head of Revenues and Financial Compliance

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<b>NONE</b>	<b>YES</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>

### Legal

We need to ensure that all Procurement complies with various legislation.

## CONSULTATIONS

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

Signed: H L Pugh – Head of Revenues and Financial Compliance

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

<b>CABINET MEMBER PORTFOLIO HOLDER AWARE/CONSULTED</b>	YES
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**Section 100D Local Government Act, 1972 – Access to Information**  
**List of Background Papers used in the preparation of this report:**

**THERE ARE NONE**