

Audit Committee
30th September 2016

Subject: Revised Contract Procedure Rules

Purpose: To approve the revised Contract Procedure Rules

Recommendations / key decisions required:

Approval of the Revised Contract Procedure Rules

Reasons:

Significant work has been undertaken to update the Contract Procedure Rules to take account of a number of changes in procurement regulations and procurement arrangements.

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:

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Designations:

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EXECUTIVE SUMMARY

Audit Committee

30th September 2016

SUBJECT

Revised Contract Procedure Rules

1. BRIEF SUMMARY OF PURPOSE OF REPORT.

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

The Contract Procedure Rules (CPR's) have been updated following detailed consultations with key stakeholders including legal and audit, to bring them up to date and to reflect changes introduced by the Public Contracts Regulations, transposed into UK Law in February 2015.

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

- Quotation Procedure Rules (QPR's) and Contract Procedure Rules (CPR's) have amalgamated into one document– Contract Procedure Rules.
- Procurement Guidance is being produced to offer guidance to support the CPR's, and this will launch at the same time as these Rules on the Intranet.
- Wording has been included on the 70% Price/ 30% Quality split. (1.8 & 8.3.1)
- Detail on Tendering Procedures has been taken out of the CPR's and moved to the Procurement Guidance.
- Tender timescale threshold for below OJEU tenders has been dropped from 28 days to 21 in line with the Public Contract Regulations (2015) where overall the timescales have been shortened.
- E-tendering wording has been added since this is now the norm. Detailed wording on Hard Copy tendering has moved to the Procurement Guidance.
- Clearer wording has been included on the rule of aggregation where Lead Officers are looking to estimate the value of a Procurement activity (6.1.4).
- Wording added on the requirement for Contract Extension Forms to be signed off by Head of Service (11.3.2).
- Wording added under Exceptions and Waivers to Competition highlighting the Lead Officers requirement to seek approval from the Monitoring Officer and Section 151 Officer who will in turn be required to report the use of a Single Tender Action and Negotiated Procedure without Prior Publication to Audit Committee (12.2.3).

DETAILED REPORT ATTACHED ?	YES
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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	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
NONE	YES	Yes	NONE	NONE	NONE	NONE

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