

Pwyllgor Archwyllo

11^{fed} Medi 2020

Rheolau Gweithdrefn Contract Cyngor Sir Caerfyrddin

Yr argymhellion / penderfyniadau allweddol sydd eu hangen:

- Cymeradwyo'r Rheolau Gweithdrefn Contract diwygiedig (Fersiwn 3).

Rhesymau:

Gwnaed gwaith sylweddol i ddiweddarau'r Rheolau Gweithdrefn Contract er mwyn ystyried nifer o newidiadau mewn rheoliau caffael a pholisïau/gweithdrefnau caffael.

Angen ymgynghori â'r pwyllgor craffu perthnasol:

Angen i'r Bwrdd Gweithredol wneud penderfyniad:

Angen i'r Cyngor wneud penderfyniad:

Pwyllgor Archwyllo (11 Medi 2020)

Nac Oes

Nac Oes

Aelod y Bwrdd Gweithredol sy'n gyfrifol am y Portffolio:

Cyng. David Jenkins (Adnoddau)

Y Gyfarwyddiaeth:
Gwasanaethau Corfforaethol

Enw'r Gyfarwyddwr:
Chris Moore

Awduron yr adroddiad:
Helen Pugh

Swyddi:

Cyfarwyddwr
Gwasanaethau
Corfforaethol

Pennaeth Refeniw a
Chydymffurfiaeth Ariannol

Rhifau Ffôn / Cyfeiriadau E-bost:

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**Executive Summary
Audit Committee
11th September 2020**

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 officer's in legal and the Section 151 Officer and Monitoring Officer.

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

- New clause inserted for exception requests up to £25,000. Requests up to £25,000 will be sent to the Head of Revenues and Financial Compliance for approval.
- Inclusion of the new online Exception Reporting System
- New clauses added for Welsh Language, GDPR and Concessions contracts
- Strengthening the wording on Joint Procurement Arrangements with other public Organisations, clarifying the roles and responsibilities of officers.
- Removal of the clause promoting the use of the National Procurement Service's frameworks – following the change of focus for the NPS as outlined in the then Cabinet Secretary for Finance's statement in 2018 (Review of the National Procurement Service and Value Wales Commencement Order).
- New clauses added on Financial Assessments outlining that the Finance Team must be consulted prior to commencing a tender exercise to determine the appropriate level of financial assessment required.
- Removal of clause 12.3.2 – Exceptions above OJEU on Head of Legal's advice as the Section 151 and Monitoring Officers only have limited options for exceptions to the Procurement Regulations (2015) and this is outlined in the strengthened wording in 12.4.1.1. Negotiated Procedure without Prior Publication clause.
- Additional wording included in 12.4.2 for exceptions outside of the Negotiated Procedure without Prior Publication must be referred to the Monitoring Officer and Section 151 Officer via the online Exception Reporting System and these will then be referred to the Corporate Management Team (CMT).
- Removal of the term 'Procurement Manager' and replaced with 'Head of Revenues and Financial Compliance' throughout.

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
NONE	YES	NONE	NONE	NONE	NONE	NONE

2. 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

Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:

THERE ARE NONE

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