

PWYLLGOR ARCHWYLIO 30fed Medi 2016

Y Pwnc: Rheolau Gweithdrefn Contract Diwygiedig

Y Pwrpas: I gymeradwyo y Rheolau Gweithdrefn Contract Diwygiedig

Yr Argymhellion / Penderfyniadau Allweddol Sydd Eu Hangen:

Cymeradwyaeth y Rheolau Gweithdrefn Contract Diwygiedig

Y Rhesymau:

Mae gwaith sylweddol wedi cael ei wneud i ddiweddarau'r Rheolau Gweithdrefn Contract i gymrud i ystyriaeth nifer o newidiadau mewn rheoliadau caffael a threfniadau caffael.

Ymgynghorwyd â'r pwyllgor craffu perthnasol : AMHERTHNASOL

Angen i'r Bwrdd Gweithredol wneud penderfyniad : AMHERTHNASOL

Angen i'r Cyngor wneud penderfyniad : AMHERTHNASOL

YR AELOD O'R BWRDD GWEITHREDOL SY'N GYFRIFOL AM Y PORTFFOLIO:-

Cynghorydd David Jenkins

Y Gyfarwyddiaeth:

Gwasanathau Corfforaethol

Enw Pennaeth y Gwasanaeth:

Phil Sexton

Awdur yr Adroddiad:

Alan Aitken

Swyddi:

Pennaeth Archwilio, Risg a
Chaffael

Rheolwr Caffael

Rhif ffôn: 01267 246217

Cyfeiriad E-bost:

PSexton@sirgar.gov.uk

Rhif ffôn: 01267 246236

Cyfeiriad E-bost:

AAitken@sirgar.gov.uk

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 NONE	Legal YES	Finance Yes	ICT NONE	Risk Management Issues NONE	Staffing Implications NONE	Physical Assets NONE
<p>1. Legal New Procurement Regulations impose new duties on the Authority.</p> <p>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.</p>						

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
<p>1. Scrutiny Committee : Not Applicable</p> <p>2. Local Member(s) : Not Applicable</p> <p>3. Community / Town Council : Not Applicable</p> <p>4. Relevant Partners : Not Applicable</p> <p>5. Staff Side Representatives and other Organisations : Not Applicable</p>		
<p>Section 100D Local Government Act, 1972 – Access to Information</p> <p>List of Background Papers used in the preparation of this report:</p> <p>THESE ARE DETAILED BELOW</p>		
Title of Document	File Ref No.	Locations that the papers are available for public inspection
N/A	N/A	N/A