

Report of Procurement Manager

Report to the Director of Resources and Housing

Date: 3rd July 2019

Subject: Revised Contract Procedure Rules

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. The council's contract procedure rules (CPRs) were last updated in June 2018. CPRs are currently being updated in total as part of the annual review following consultation with all Directorates.
2. However, following a review of the thresholds in the council's constitution relating to governance, finance and procurement there is a need to amend Contract Procedure Rule 21.2 in relation to extensions to ensure they are consistent with the changes made to the constitution.

Recommendations

3. The Director of Resources and Housing is recommended to approve the revised CPRs to have retrospective effect from the 1st July 2019.

1 Purpose of this report

- 1.1 The Director of Resources and Housing has responsibility for updating the CPRs on a periodic basis to ensure that they reflect current legislation, best practice and Council policy. The last version of the CPRs was approved in July 2018.
- 1.2 The Director of Resources and Housing is requested to approve the revised CPRs.
- 1.3 The revised CPRs are attached to this report at Appendix 1

2 Background information

- 2.1 Following a review of the thresholds in the council's constitution relating to governance, finance and procurement there is a need to amend Contract Procedure Rule 21.2 in relation to extensions to ensure they are consistent with the changes made to the constitution.

3 Main issues

- 3.1 The amended CPR 21.2 is set out at Appendix 1.
- 3.3 Following a review of the thresholds in the council's constitution relating to governance, finance and procurement there is a need to amend Contract Procedure Rule 21.2 in relation to extensions to ensure they are consistent with the changes made to the constitution.

3.1 Consultation and Engagement

Consultation has been undertaken with the Principle Governance Officer in Governance Services and the Senior Audit Manager in Internal Audit who are in agreement with the wording of amended CPR 21.2.

3.2 Equality and Diversity / Cohesion and Integration

An equality impact assessment screening has been completed that shows that there are no implications for equality and a full equality impact assessment is not required.

CPRs seek to ensure that, regardless of value, the purchase of goods, works or services by the Council is undertaken in an open and transparent way thereby giving all organisations, including SMEs etc, the same opportunity to participate in tendering exercises for goods, works or services.

3.3 Council policies and City Priorities

These updated CPRs reflect good procurement practice which in turn supports the Best Council Plan 2018/19 – 2020/21 by using procurement activity to help achieve the Council's wider objectives of tackling poverty, improving health and wellbeing, boosting housing growth and regeneration, increasing productivity and enhancing transport and infrastructure etc.

3.4 Resources and value for money

These updated CPRs continue to introduce positive change without putting an unreasonable and disproportionate burden on council resources. In addition complying with good procurement practice ensures the council is spending money wisely and achieving value for money.

3.5 Legal Implications, Access to Information and Call In

- 3.5.1 The new CPRs ensure that the Council is acting in line with current legislation and other developments in public law when conducting procurements.
- 3.5.2 There are no restrictions on access to information associated with this report.
- 3.5.3 This report is recommending a significant operational decision and therefore is not subject to call-in.
- 3.5.4 These CPRs fulfil the council's obligation to put standing orders for purchase in place in accordance with s135 of the Local Government Act 1972.

3.6 Risk Management

- 3.6.1 There are no risk management issues in relation to this amendment of CPRs.

4 Conclusions

- 4.1 Following a review of the thresholds in the council's constitution relating to governance, finance and procurement there is a need to amend Contract Procedure Rule 21.2 in relation to extensions to ensure they are consistent with the changes made to the constitution.

5 Recommendations

- 5.1 The Director of Resources and Housing is recommended to approve the revised CPRs to have retrospective effect from the 1st July 2019.

6 Background documents¹

- 6.1 None.

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

Appendix 1 – revised CPR 21.2

“21.2 Any Contract extension must be approved by and dealt with by the relevant Chief Officer. The Chief Officer - Financial Services must be consulted if the extension relates to a Midscale or Complex Project. However, this is optional at the relevant Chief Officer’s discretion for other projects. The decision to extend a contract which exceeds the threshold of a Key Decision may be treated as a direct consequence of the initial decision to procure provided it was in the contemplation of the decision maker at the time the initial decision to procure was taken. The decision to extend will therefore be a Significant Operational or Administrative decision, depending on value and impact of the decision (refer to Article 13)”.