

Contract Procedure Rules

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Contract Procedure Rules

1 Introduction

The purpose of these Contract Procedure Rules is to set out the principles, roles and processes involved in procurement at the Council. All procurements must comply with these rules, the Officer Scheme of Delegation, the Council's Financial Regulations, English law and European law in force in England.

All procurements must realise value for money through the optimum combination of whole life costs and quality of outcome.

These Rules seek to protect the Council's reputation by minimising the risk of allegations of corruption, dishonesty and failure to meet legal obligations, as such they must be followed in all procurement activity.

These Rules are supported by detailed, practical guidance available in the Procurement Toolkit (<http://wellandprocurement.org.uk/>).

These Rules apply to:

- All procurement activities must be carried out in a fair, open, transparent, proportionate and non-discriminatory manner.
- Contracts or agreements with external organisations where the Council pays for:
 - Goods and/or Services.
 - Works of any kind.
 - Hire, rental or lease of equipment, material and/or plant.

These Rules do not apply in the following circumstances:

- The purchase or lease of property, land acquisition, interest in land, transaction in land or disposal. This does not extend to any service, supplies or works contracts that may be required to make the land, existing buildings or immovable property ready for acquisition, disposal or leasing.
- Direct employment of permanent or fixed term employees, for the avoidance of doubt these Rules do apply to consultancy and employment agency contracts.
- Instructing barristers or solicitors and those costs do not exceed the relevant EU Threshold.
- The lending or borrowing of money by the Council.

1.1 Estimating the Contract Value

1.1.1 Contract values should be calculated by working out the annual price and then multiplying it by the contract length (including any possible contract extensions). The Public Contract Regulations' rules on aggregation must be considered.

1.1.2 Officers will ensure that values are not split in an attempt to avoid the applicability of these Rules or the Public Contract Regulations.

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2 Roles and Responsibilities

Officers

- 2.1 The Officer responsible for the procurement must comply with these Contract and Procurement Procedure Rules and the Financial Regulations. The Officer is also responsible for ensuring that any Agents acting on behalf of the Council do so in compliance with these Rules and should seek written confirmation of their agreement.
- 2.2 The Officer must have regard to the guidance contained in the Procurement Toolkit.
- 2.3 The Officer must check whether a suitable Corporate Contract or other Publicly Available Contract exists before seeking to let another Contract. Where such a contract does exist, its use should be considered.
- 2.4 The Officer must keep the records detailed in these Rules.
- 2.5 Where an EU procedure is required, the Officer **must** contact Welland Procurement before embarking on the procurement. Welland Procurement are available to provide advice on all procurement activity.
- 2.6 Officers should take all necessary legal, financial and other professional advice. All officers, including the Senior Team are required to obtain the necessary approvals BEFORE commencing a procurement process. (The values stated are accumulated spends over the life of the contract.) These approvals vary according to value and whether the procurement is considered a Key Decision.
- 2.7 Where any employee of the Council or of a Supplier may be affected by any transfer arrangement (TUPE), the Officer must ensure that the Transfer of Undertaking (Protection of Employment) issues are considered and obtain relevant advice.
- 2.8 Officers must ensure that the contracts for which they are responsible are effectively managed and monitored to ensure they deliver the requirement as intended.
- 2.9 Where an Officer has a potential conflict of interest within a procurement, the Officer must declare this immediately to the relevant Strategic Director and Monitoring Officer. The Officer may be required to withdraw from the procurement process. Any Officer who fails to declare such a conflict of interest may be subject to disciplinary proceedings and sanctions and also risks being prosecuted under the Bribery Act 2010.

Senior Team

- 2.10 The Senior Team must ensure that they and their Officers comply with these Rules at all times and that sufficient budget is available and approved before procurement process begin.

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- 2.11 The Senior Team must ensure that Value for Money is achieved in all procurements and ensure officers have obtained the necessary approvals BEFORE commencing a procurement process. (The values stated are accumulated spends over the life of the contract.) These approvals vary according to value and whether the procurement is considered a Key Decision.
- 2.12 The Senior Team must ensure that they have in place a scheme of delegation that records in writing what action Officers are authorised to take under these Rules and what action needs to be referred to Cabinet or Council.
- 2.13 In the interests of forward planning, the Senior Team should prepare, maintain and review a rolling schedule in respect of procurement activities valued over £50,000.
- 2.14 The Senior Team is responsible for ensuring that the Council's Contracts Register is updated as required following procurement activity.
- 2.15 Where an Officer within the Senior Team has a potential conflict of interest within a procurement, the officer must declare this immediately to the relevant Strategic Director and Monitoring Officer. The Officer may be required to withdraw from the procurement process. Any Officer who fails to declare such a conflict of interest may be subject to disciplinary proceedings and sanctions and also risks being prosecuted under the Bribery Act 2010.

3 Exceptions

- 3.1 The exceptions listed in this Section do not apply to procurements valued over the relevant EU Threshold.
- 3.2 Exceptions must be approved by the relevant member of the Corporate Management Team (CMT) upon completion of the Exception Form at Appendix 3 subject to one of more of the following criteria being fulfilled.
 - 3.2.1 No genuine competition: proprietary or patented goods or services; requirement of such a specialist nature that it can genuinely only be fulfilled by one person or organisation; compatibility with existing goods or services is required and where those existing goods or services can only be sourced from the same supplier.
 - 3.2.2 Genuine emergencies: critical preventative or remedial work where there is a real and imminent risk to the safety of people or property arising from hitherto unforeseen 'catastrophic' events or incidents, for example fire, bombing, landslide etc.
 - 3.2.3 Urgent Situations not of the Council's own making: the urgency must have been reasonably unforeseeable (e.g. existing supplier going into liquidation) and

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genuinely be a case of time is of the essence. Urgency arising from the Council's own making (e.g. lack of planning) shall not justify an exception. Where this exception is used, a compliant procurement must be implemented as soon as possible.

- 3.2.4 Collaborative/Joint Procurement: where another authority/public body is acting as the 'lead buyer' and provided that the Officer can demonstrate those arrangements comply with relevant Regulations and best practice.
- 3.2.5 Grants which the Council may receive or make: except where the grant is the form of payment for a contract for services where the Council specifies the output or outcomes to be delivered. The awarding of grants by the Council or on behalf of the Council must be carried out under the principles of openness, fairness, non-discrimination and value for money. Officers cannot choose to treat procurement as a grant in order to avoid conducting a competitive process.
- 3.2.6 Contracts for the execution of either mandatory works or provision of goods or services which must be provided by Statutory Provider other than the Council. This includes but is not limited to public utility companies and other legal authorities

4 Procurements valued under £10,000

- 4.1 Where the contract is valued below £10,000, Officers are required to seek at least one written quotation. Value for money remains a primary objective and so Officers may decide to seek more than one quotation to ensure that objective is achieved.
- 4.2 Quotations can be submitted via email but should be PDF documents to prevent tampering or accusations thereof.
- 4.3 The quotation must be received before any order is processed and must include the following information:
 - a) A description of the goods, services or works to be supplied;
 - b) When and where they will be supplied;
 - c) The value of the requirement;
 - d) Payment terms.
- 4.4 The contract award must be authorised by a member of the Senior Team using the relevant Approval Form in Appendix 3.
- 4.5 The contract or terms and conditions must be signed by a member of the Senior Team.
- 4.6 Where the value of the contract is more than £5,000, the resultant contract must be added to the Contract Register to ensure compliance with Transparency Regulations.

5 Procurements valued between £10,000 and £49,999

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- 5.1 Where the contract is valued between £10,000 and £49,999, at least 3 written quotations must be obtained. Those quotations must be invited from identified suppliers as no procurement advertising can take place.
- 5.2 It is recommended that the Request for Quotation template document (<http://wellandprocurement.org.uk/>) is used. In any case the criteria for selecting the most advantageous quotation must be established before the quotations are invited and be made clear in the procurement documentation.
- 5.3 At least one of the suppliers invited to submit a quotation should be local, where local means in the sub-region or region.
- 5.4 Where fewer than 3 potential suppliers can be identified, the Officer must keep a written record of the reason and all potential suppliers should be invited to quote. It is accepted that the Officer may receive fewer than 3 quotations even where 3 or more suppliers have been invited to quote.
- 5.5 Quotations can be submitted via email but should be PDF documents to prevent tampering or accusations thereof.
- 5.6 The Officer must keep copies of the Council's procurement documentation as well as copies of all quotations received and any communication between the Council and the bidders.
- 5.7 Evaluation of the quotations received must be carried out using the evaluation criteria identified in the procurement documentation. Clarification questions may be asked where responses would not result in a material change of the bid received.
- 5.8 The contract award must be authorised by a member of the Senior Team.
- 5.9 The contract or terms and conditions must be signed by a member of the Senior Team.
- 5.10 The resultant contract must be added to the Council's Contract Register to ensure compliance with Transparency Regulations.
- 5.11 If the contract is valued over £25,000, an award notice on Contracts Finder is required. Welland Procurement is responsible for such award notices.

6 Procurements Valued between £50,000 and the Current Goods and Services OJEU Threshold

- 6.1 For contracts valued between £50,000 and the current goods and services OJEU Threshold a single stage/open tender process must be completed. This means that all interested suppliers are eligible to submit a Tender.
- 6.2 The procurement must be advertised on Contracts Finder, Welland Procurement is responsible for managing this advertising.

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- 6.3 The procurement will be managed using an electronic tendering system; where the procuring Officer does not have access to the electronic tendering system they must contact Welland Procurement to access that system.
- 6.4 It is recommended that the Open Tender template documents are used (<http://wellandprocurement.org.uk/>), in any case the Officer must ensure that the required Standard Suitability Questions are used. The Officer must ensure that all relevant procurement documents are finalised before the procurement is advertised, these will include at least the Specification, Terms and Conditions of Contract and weighted evaluation criteria.
- 6.5 Tenders will be received via the electronic tendering system. The procuring Officer and the Procurement Lead will be responsible for opening and logging the tenders to meet Internal Audit requirements.
- 6.6 Tenders must be evaluated in accordance with the advertised weighted evaluation criteria, clarification questions may be asked as long as the response would not have the affect of materially changing the tender received.
- 6.7 The bidder with the highest evaluation score will be awarded the contract. If this is not the case, the advice of Welland Procurement must be sought prior to award.
- 6.8 Contract award must be approved in writing by a member of CMT using the form in Appendix 3.
- 6.9 All bidders must be notified of the Award decision simultaneously in writing (via the e tendering system) by the Officer, whether or not their bid was successful.
- 6.9 The contract must be signed by a member of CMT. In certain circumstances the contract may require sealing, please see Section 10.6 below.
- 6.10 The resultant contract must be added to the Council's Contract Register to ensure compliance with Transparency Regulations. The Officer is responsible for ensuring the original signed contract is given to Legal Services for safekeeping.
- 6.11 The Officer must keep the following records:
- a) The method of obtaining tenders.
 - b) Tender documents produced by the Council.
 - c) Tenders received from bidders. The successful tender should be retained for at least the life of the contract. Unsuccessful tenders should be retained for the first 12 months of the contract.
 - d) A written record of the evaluation.
 - e) A record of the Award approval.

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- f) A signed copy of the Contract which should be retained for the life of the contract and in normal circumstances for 6 years thereafter.
- g) Communications to and from bidders during the procurement process.

6.12 An award notice is required to be published on Contracts Finder, Welland Procurement is responsible for such award notices.

7 Procurements for Works Contracts Valued between the Goods and Services OJEU Threshold and the Works OJEU Threshold

7.1 For Works contracts valued between the Goods and Services OJEU Threshold and the Works OJEU Threshold, the Officer can choose either a single stage/open tender or two stage/restricted process.

7.2 The procurement must be advertised on Contracts Finder, Welland Procurement is responsible for managing this advertising.

7.3 The procurement will be managed using an electronic tendering system; where the procuring Officer does not have access to the electronic tendering system, they must contact Welland Procurement to access that system.

7.4 It is recommended that the Open Tender template or Restricted Tender template is used, in any case the Officer must ensure that the required Standard Suitability Questions are used. The Officer must ensure that all relevant procurement documents are finalised before the procurement is advertised, these will include at least the Specification, Terms and Conditions of Contract and weighted evaluation criteria.

7.5 Tenders will be received via the e tendering system. The procuring Officer and the Procurement Lead will be responsible for opening and logging the tenders to meet Internal Audit requirements.

7.6 Tenders must be evaluated in accordance with the advertised weighted evaluation criteria, clarification questions may be asked as long as the response would not have the effect of materially changing the tender received.

7.7 The bidder with the highest evaluation score will be awarded the contract. If this is not the case, the advice of Welland Procurement must be sought prior to award.

7.8 Contract award must be approved by a member of CMT using the form in Appendix 3.

7.9 All bidders must be notified of the Award decision simultaneously in writing (via the e tendering system) by the Officer, whether or not their bid was successful.

7.10 The contract must be signed by a member of CMT. In certain circumstances the contract may require sealing, please see Section 10.6 below.

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- 7.11 The details of the resultant contract must be added to the Council's Contract Register to ensure compliance with Transparency Regulations. The Officer is responsible for ensuring the original signed contract is given to Legal Services for safekeeping.
- 7.12 The Officer must keep the following records:
- a) The method of obtaining tenders.
 - b) Tender documents produced by the Council
 - c) Tenders received from bidders. The successful tender should be retained for at least the life of the contract. Unsuccessful tenders should be retained for the first 12 months of the contract.
 - d) A written record of the evaluation
 - e) A record of the Award approval
 - f) A signed copy of the Contract which should be retained for the life of the contract and in normal circumstances for 6 years thereafter.
 - g) Communications to and from bidders during the procurement process
- 7.13 An award notice is required to be published on Contracts Finder, Welland Procurement is responsible for such award notices

8 Procurements Valued Over the Relevant OJEU Threshold

- 8.1 Where the anticipated value of the contract exceeds the relevant OJEU threshold, the formal advice of Welland Procurement must be sought as early as possible and in any case before any procurement activity takes place.

9 Procuring via a Framework Agreement or Dynamic Purchasing System (DPS)

- 9.1 A contract of any value can be procured via a framework agreement or DPS, compliance with these Rules and relevant national and EU law is achieved through compliance with the framework agreement/DPS terms and conditions.
- 9.2 For the avoidance of doubt, a framework agreement or DPS is considered a compliant procurement route where:
- a) It has been entered into by the Council in compliance with these Rules; or
 - b) Another contracting authority, purchasing consortium or Central Government has tendered the framework agreement or DPS in compliance with national and EU procurement law and the Council is named as a potential user of the arrangement.
- 9.3 Contract award must be approved by a member of the Senior Team using the form in Appendix 3.
- 9.4 The contract must be signed by a member of the Senior Team except where a contract requires Sealing as set out at 10.6.

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9.5 The resultant contract must be added to the Council's Contract Register to ensure compliance with Transparency Regulations. The Officer is responsible for ensuring the original signed/sealed contract is given to Legal Services for safekeeping.

9.6 Where the contract is valued over £25,000 an award notice is required to be published on Contracts Finder, Welland Procurement is responsible for such award notices.

10 Other Matters to Consider

10.1 Conflict of Interest

10.1.1 Clause 2.9 and 2.15 define when a conflict of interest must be declared.

10.1.2 All officers, Members and other stakeholders involved in procuring for the Council must sign a Declaration of Interest form at the start of the procurement process.

This form is available from www.wellandprocurement.org.uk

10.1.3 This form must be kept on file during the procurement and for the term of the contract.

10.2 Abnormally Low Bids

10.2.1 Under the Public Contract Regulations 2015, the Council is required to request an explanation of the price or costs proposed in a tender where that price or those costs appear to be abnormally low in relation to the requirement.

10.2.2 Advice should be sought from Welland Procurement during this investigation process to ensure that the requirements of the Public Contract Regulations 2015 are complied with.

10.3 GDPR and Data Protection Act 2018 Requirements

10.3.1 The General Data Protection Regulations and Data Protection Act 2018 impose greater obligations on the Council to protect an individual's information.

10.3.2 Officers conducting a procurement should ensure that the GDPR screening questions, available from Welland Procurement, are completed as early as possible in the planning stages of that procurement.

10.3.3 Should any of the GDPR screening questions be answered positively, further advice must be sought from Welland Procurement and the Council's Data Protection Officer before any further action is taken. A non-disclosure data protection agreement (available from Legal Services) must be entered into either prior to or upon commencement of the Contract.

10.4 Impact of Organised Crime

10.4.1 In 2016 a pilot study was undertaken which found links between organised crime and specific categories of public sector procurement.

10.4.2 Areas particularly at risk of involvement with organised crime are taxis/transport, waste and areas of low level spend, for example property maintenance.

10.4.3 If an officer is seeking to procure in one of these higher risk categories, further advice should be sought from Welland Procurement.

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10.5 Financial Sanctions Legislation

10.5.1 Financial sanctions are imposed by government and may apply to individuals and entities in the UK and abroad. In most cases it is illegal to contract with individuals and entities subject to financial sanctions.

10.5.2 Any officer concerned about whether the individual or entity they wish to enter into a contract with may be subject to financial sanctions should contact Welland Procurement for advice.

10.6 Sealing a Contract

10.6.1 A contract must be sealed where:

10.6.1.1 The Council wishes to enforce the contract for more than six years following its expiry (e.g. for land or construction works); or

10.6.1.2 The price paid or received under the contract is a nominal price and does not reflect the value of the goods, services or works; or

10.6.1.3 There is any doubt about the authority of the person signing for the other contracting party; or

10.6.1.4 A Bond is established on behalf of the Supplier(s) or their guarantors; or

10.6.1.5 Required by the Parties to the agreement; or

10.6.1.6 Any contract with a value over £75,000.

10.6.2 Where contracts are completed by each side adding their common seal, the affixing must be attested by or on behalf of a relevant Strategic Director. The relevant Strategic Director (including the Chief Executive) is responsible for the process of sealing contract.

10.6.3 Any contract requiring sealing must be passed to Legal Services, accompanied by the relevant authority to enter into the contract. For example, a key decision, non-key decision, an Officer Delegated Decision. Any officer of the Senior Team, who gives authority by way of an Officer Delegated Decision, must ensure they have the necessary authority/permission to authorise the contract, especially relating to the value.

11 Contract Management

11.1 Contract Management

11.1.1 The named Contract Manager should be noted in the Contract Register. All contracts must have a named Contract Manager for the entirety of the contract and that Contract Manager is responsible for the application of these Rules.

11.1.2 For all contracts valued over £50,000, the Contract Manager must identify the risks by maintaining a suitable risk register and ensure that suitable contingency measures are in place.

11.1.3 During the life of the contract, the Contract Manager must monitor the overall performance of the contract closely in order to ensure any issues of under performance are addressed as soon as possible and any areas of added value are identified as soon as possible.

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11.1.4 All contracts must contain the right to terminate the contract in the event of a contractor offering any inducement, committing fraud, or committing an offence under the Prevention of Corruption Acts.

3.5 All contracts must require contractors to comply with the Council's Corporate Counter Fraud Strategy.

11.2 Variation

11.2.1 In any case where a variation means that the value of a contract would exceed the relevant EU Threshold, or where there is any material change to the contract, the contract must be treated as a new procurement under these Rules.

11.2.2 A material change is one which:

11.2.2.1 Would have allowed the admission of other Bidders or the acceptance or another tender; or

11.2.2.2 Extends the scope of the contract considerably to goods, services or works not initially covered by the Specification; or

11.2.2.3 Changes the economic balance in favour of the contractor in a manner not provided for in the procurement documents.

11.2.3 For clarity, a change will be deemed immaterial if the value of the modification is both below the relevant EU Threshold and below 10 % of the original contract value (15% for works contracts) as provided by Regulation 72 of the Public Contract Regulations 2015.

11.3 Extension

11.3.1 A contract should not be extended beyond its initial term unless the contract documents allow.

11.3.2 A Framework Agreement shall only be extended if the contract documents allow and the original term and extension together should not exceed four years except in exceptional circumstances.

11.3.3 Where a business need has been identified which means that a contract is required to be extended beyond the term permissible in the original contract documents, advice must be sought from Welland Procurement in the first instance and authority sought (using the Extension form in Appendix 3) from the Monitoring Officer or the S151 Officer if such an extension is proposed.

11.3.4 The Officer must be satisfied that such an extension would achieve value for money and be reasonable in all circumstances. The Officer must record the reasons for these conclusions in writing.

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Appendix 1: Definitions

Award Notice	A notice published on OJEU and/or Contracts Finder which provides details of the winning bidder and the final value of the contract. Award notices are required for all procurements valued over £25,000
Bidder	An individual or organisation who submits a tender or quotation in a competitive procurement process
Contracting Authority	Has the definition contained within the Public Contract Regulations 2015. It means the State, regional or local authorities, bodies governed by public law or associations formed by one or more such authorities or one or more such bodies governed by public law, and includes central government authorities, but does not include Her Majesty in her private capacity
Contract management	Is the process of managing contract creation, execution and analysis to maximize operational and financial performance at an organization, all while reducing financial risk.
Contract term	Is the length of the contract including the initial term and any extension periods proposed.
Corporate Contract	A contract that has already been let by the Council
Dynamic Purchasing System (DPS)	Is similar to an electronic framework agreement, with two exceptions, new suppliers can join at any time and it is to be run as a completely electronic process.
EU Procedure	A procurement process over the relevant EU Threshold and so governed by EU procurement regulations as defined within the Public Contract Regulations 2015
EU Threshold	The threshold established by the EU above which an EU procedure must be carried out. There are thresholds for goods/services, works and concessions. The current threshold is contained within Appendix 2.
Evaluation	The process of assessing received tenders or quotations against the published criteria to identify the winning bidder, i.e. the bidder with the highest evaluation score.
Extension (contract)	An additional period identified within the contract, beyond the initial term which may be used to lengthen the contract term.
Framework Agreement	A framework is an agreement with suppliers to establish terms governing contracts that may be awarded during the life of the agreement. It is a general term for agreements that set out terms and conditions for making specific purchases (call-offs).
Goods	Tangible products that satisfy a need
Initial Term	The initial period of a contract which may be subsequently extended
OJEU	The Official Journal of the European Union
Procurement	Procurement is the process of finding, agreeing terms and acquiring goods, services or works from an external source, often via a tendering or competitive bidding process.
Publicly available contract	A contract that has been let by another Contracting Authority and which is available for use by the Council. The Council must have been named specifically or generally within the procurement documentation in order to enable access.
Quotation	A formal statement setting out the estimated cost for a particular job or service.

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Services	A valuable action, deed, or effort performed to satisfy a need or to fulfil a demand.
Specification	An exact statement of the particular needs to be satisfied, or essential characteristics that a customer requires (in a good, material, method, process, service, system, or work) and which a bidder must deliver.
Standard Suitability Questions/Questionnaire	The set of standard suitability or selection questions referred to in PPN 08/16 which must be used in all advertised procurements.
Tender	A written invitation sent to potential suppliers of a good or service to inform them about the information required for the buyer to choose between them.
Terms and Conditions	General and special arrangements, provisions, requirements, rules, specifications, and standards that form an integral part of an agreement or contract.
TUPE	Stands for the Transfer of Undertakings (Protection of Employment) Regulations. This is relevant to any redundancy decisions where a business or part of it is transferred from one owner to another
Variation	Is an alteration to the scope, term or any other part of a Contract. The limitations of the Public Contract Regulations 2015 should be borne in mind when varying a contract.
Whole life costs	The total cost of ownership over the whole length of the contract and sometimes beyond.
Works	As defined by the Public Contract Regulations 2015. Means public contracts which have as their object any of the following:— (a) the execution, or both the design and execution, of works related to one of the activities listed in Schedule 2; (b) the execution, or both the design and execution, of a work; (c) the realisation, by whatever means, of a work corresponding to the requirements specified by the contracting authority exercising a decisive influence on the type or design of the work

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Appendix 2: Variable Information

The following information is subject to change during the currency of these Contract Procedure Rules and may be updated as changes occur by the relevant Strategic Director.

EU Thresholds

From 1st January 2020 to 31st December 2022, the EU Thresholds are:

Goods and services: £189, 330

Works: £4,733,252

Concessions: £4,733,252

Light Touch Regime: £663,540

Welland Procurement

Head of Procurement: Amy Myers (amyers@melton.gov.uk; 07876574944)

Procurement Strategy Manager: Paul Large (plarge@melton.gov.uk; 07769 918574)

Procurement Officer: Richard Moon (rmoon@melton.gov.uk; 07896 856842)

Senior Procurement Officer: Paul Williams (pwilliams@melton.gov.uk; 07887 894811)

Senior Procurement Officer: Tina Rippingale (trippingale@melton.gov.uk;))

www.wellandprocurement.org.uk

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Appendix 3: Approval Forms

APPROVAL FOR USE OF A FRAMEWORK AGREEMENT

Guidance Notes

- a) A framework agreement is a contract let by another contracting authority, usually another Council, or an NHS body or a central purchasing authority (e.g. Crown Commercial Service).
- b) The framework agreement must have named the Council as one of its potential users, either generally or specifically.
- c) The framework agreement will have been published with rules and guidance notes; these must be followed in order for the call off contract to be compliant and valid.
- d) The Contract Procedure Rules and Procurement Toolkit contain further guidance on using a framework agreement.
- e) Approval must be sought before the framework call off process is started.

Name of Officer seeking approval	
Service area	
Contract title	
Description of contract (supporting documentation may be attached)	
Estimated total value of the contract	
Contract start date	
Name of framework agreement	
Owner of framework agreement	
Further competition or direct award	
Confirm that rules of the framework agreement have been followed	
Proposed length of contract (detail any extensions)	

Authorisation

Member of Senior Team Authorised: Yes No

Reason for Rejection (if applicable):

Signature

Print Name

Date

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APPROVAL FOR CONTRACT AWARD

Guidance Notes

- f) The Contract Procedure Rules set out the rules which must be followed for each value of procurement.
- g) The Procurement Toolkit is available to help you with practical advice on completing a procurement process.
- h) Welland Procurement is on hand to provide practical procurement advice and must be involved where the value of the procurement is over the relevant OJEU threshold (see Contract Procedure Rules for further details).

Name of Officer seeking approval	
Service area	
Contract title	
Description of contract (supporting documentation may be attached)	
Procurement process used	
Summary of evaluation criteria and weightings (supporting documentation may be attached)	
Copy of final evaluation schedule	Please attach
Reason for contract award	
Total value of the contract	
Contract start date	
Length of contract (detail any extensions)	
Confirm that Contract Procedure Rules followed If no, please provide further information	Yes <input type="checkbox"/> No <input type="checkbox"/>

Authorisation

Senior Team/CMT Member Authorised: Yes No

Reason for Rejection (if applicable):

Signature

Print Name

Date

Please remember to:

- let Welland Procurement have the relevant details to publish the contract award; and
- add your Contract to the Contracts Register.

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APPROVAL TO EXTEND A CONTRACT

Guidance Notes

- i) In normal circumstances it is only possible to extend a contract where such a provision is included in the original terms and conditions.
- j) In exceptional circumstances, as set out in 11.3 of these Rules it is possible to extend a contract even where there is no provision for such an extension within the original terms and conditions. However, advice must be sought from Welland Procurement before taking such action.

Name of Officer seeking approval	
Service area	
Contract title	
Description of contract (supporting documentation may be attached)	
End date of initial term	
Allowable extension period (as defined in the Terms and Conditions)	
Requested extension period	
Reason for extension request	
If there is no provision for an extension in the original terms and conditions:	
Has the advice of Welland Procurement been sought?	
Has Welland Procurement agreed that the Regulation requirements for such an extension have been met?	
What is the % value of the proposed extension?	
Has the advice of Legal Services been sought? If so, please set out their advice here	

Authorisation

Senior Team/CMT Member Authorised: Yes No

Reason for Rejection (if applicable):

Signature

Print Name

Date

Contract Procedure Rules

EXCEPTION REQUEST FORM

Name of Officer seeking Exception:

Service Area:

Contract Title:

Description of Contract (attach supporting documentation if applicable)

Estimated Total Value of Contract:

Target Contract Start Date:

Date	Justification for Exemption Request	Authorised by CMT member
	Must be from the criteria set out in 3.2 of these Rules	Signed: Name:

This Form should be kept on file as evidence of compliance with Contract Procedure Rules.

<u>LEGAL SERVICES (LS) ACTION</u>	
LS AUTHORISED:	YES/NO
REASON FOR REJECTION (IF APPLICABLE):	
SIGNATURE:	PRINT NAME:
DATE:	

Contract Procedure Rules

APPENDIX 4: ROLES OF WELLAND PROCUREMENT AND PROCUREMENT LEAD

Procurement Cycle Stage	Role Fulfilment
Needs assessment/business case	Procurement Lead with relevant client officer (this is a key stage in the identification of possible savings, to ensure compliance and that where possible a commercial approach is being taken)
Options analysis	Procurement Lead with relevant client officer (for the same reasons as above)
Procurement Plan	Welland Procurement (with relevant Council client officer) and with input from Procurement Lead as necessary.
Market testing/market engagement	Welland Procurement (with relevant Council client officer)
Production of procurement documentation including Specification, Request for Quotation an Invitation to Tender documents, Terms and Conditions of Contract	Welland Procurement (with relevant Council client officer and Legal Services)
Advertising (Contracts Finder and where necessary OJEU)	Welland Procurement
Tender Evaluation	Welland Procurement (with relevant Council client officer) Legal Services advice should be sought where any challenge under Public Contract Regulations 2015 is anticipated.
Contract award notices	Welland Procurement
Contract award: contract signing, insertion in to Contract Register and contract management set up	Procurement Lead (with relevant client officer and Legal Services)
Contract Management support	Procurement Lead

Contract Procedure Rules

APPENDIX 5: QUICK REFERENCE GUIDE

