

AMENDMENTS TO THE CONSTITUTION

The proposed amendments to the constitution are set out in *italics*.

Section 12 **Contract Procedure Rules**

Due to the changes to procurement procedures brought in by The Public Contracts Regulations 2015 and the implementation of an electronic procurement system it is necessary to amend the Contract Procedure Rules. The below table sets out the proposed key amendments, including those which are suggested due to the need to simplify procedures for efficiency. Minor amendments have not been detailed below but are available on request. Changes to take effect from 26th May 2016.

	Current Rule	Proposed Rule
1	<p>Solicitor to the Council can grant exceptions only when urgent, all other exception requests required to go to Cabinet.</p> <p>6.8 permitted an exception where a contractor had previous involvement or specialist expertise.</p>	<p><i>That Solicitor to Council can grant all exception requests up to the value of £50,000. Exceptions requests for contracts over £50,000 can only be approved by the Relevant Cabinet Member.</i></p> <p>Drafting clarified and requirement to show that the <i>added value brought by the expertise outweighs benefits of competition.</i></p>
2	That a specified number of quotes and tenders must be invited depending on value.	<i>That any contractor can submit a tender following advertisement.</i>
3	Tender bracket between £50,000 and £160,000 identified in table at Rule 8.	<i>Combine brackets so that one procedure applies from £10,000 to £160,000</i>
4	Rule 9 & 10 currently require Relevant Cabinet Member approval from £50,000 to £160,000.	<p><i>That each CLT member is able to authorise procurement up to £160,000. Where the value is over £50,000 however the Lead Officer is required to keep the Relevant Cabinet Member informed.</i></p> <p><i>Strong Leader/Cabinet approval is required above £160,000..</i></p>
5	Contracts Register to be kept for contracts over £10,000.	<i>Details of contracts over £5000 to be recorded and published in accordance with the Transparency Code 2014.</i>
6	The current rules assume the use of hard copy tenders.	<i>Various amendments have been made to reflect the recent purchase of an</i>

	<p>Key amendment is to the opening procedure. Currently the Rules set out how tenders are received and opened including the requirement that the Chairman or Vice-Chairman attend the opening of tenders over £50,000.</p>	<p><i>electronic tendering system – Due North Electronic Portal.</i></p> <p><i>Quotes and tenders to be released within the electronic system in the presence of the procurement officer and Legal Services.</i></p>
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