

# FAREHAM

## BOROUGH COUNCIL

### **Report to Audit and Governance Committee**

**Date**                    **25 November 2013**

**Report of:**            **Director of Regulatory and Democratic Services**

**Subject:**              **CONTRACT PROCEDURE RULES**

#### **SUMMARY**

This report advises members of a proposed amendment to the Council's Contract Procedure Rules to remove the need for Executive Members or Directors to be present at the tender opening ceremony.

#### **RECOMMENDATION**

That the Committee recommends to the Council that the proposed change to Contract Procedure Rules be approved.

## INTRODUCTION

1. The Council's Contract Procedure Rules govern procedures for the letting of contracts with a value of £20,000 or more. These Rules form part of the constitution.
2. Officers are currently looking at ways in which our tender processes can be simplified without compromising the level of control or the transparency of the process. One change is being proposed now in relation to the tender opening ceremony.

## TENDER OPENING

3. Our current rules require an Executive member or chairman of the appropriate Committee to be present when the tenders for a contract over £50,000 are opened and recorded. In practice the Director is usually present too.
4. Tender opening is only an administrative process and no decisions are made at this time. It adds transparency to our procedures as only an independent Democratic Services officer can open the tenders at a set time after the closure date, and they officially record the tender values submitted in case there is a dispute at a later date.
5. It is considered that this transparency can still be achieved by an officer of the Corporate Procurement team continuing to be present during tender opening and signing the tender opening record. In practice a service team representative will often also be present. However, the presence of the Executive member or chairman of the appropriate Committee and the Director is not really adding any further value and can add delays to the process as a time is found when all can be present.
6. No changes are proposed to the rules on who can award the tender after the evaluation is completed.
7. The proposed change of wording for Contract Procedure Rule 14.1 is therefore as follows:

### 14.1 Tender opening and Award of Contracts

*All tenders with an estimated value in excess of £50,000 must be opened by a Democratic Services Officer in the presence of a Corporate Procurement Officer ~~Executive member or chairman of the appropriate Committee~~. All contracts must be awarded by officers and members in accordance with the thresholds set out in Appendix 1.*

## RISK ASSESSMENT

8. There are no significant risk considerations in relation to this report

## CONCLUSION

9. The proposed change will help streamline the tender opening process with no overall loss of control.

**Background Papers:** None

**Reference Papers:** None

**Enquiries:** For further information on this report please contact Elaine Hammell. (Ext 4344)