



Cabinet

Item
11(iii)

27 January 2016

Report of	Monitoring Officer	Author	Andrew Weavers ☎ 282213
Title	Revised Contract Procedure Rules		
Wards affected	Not applicable		

**This report requests Cabinet to approve revised
Contract Procedure Rules**

1. Decision Required

- 1.1 To approve revised Contract Procedure Rules contained at [Appendix 1](#) to this report.

2. Reasons for Decision

- 2.1 Following the implementation of the Public Contracts Regulations 2015 which implements the latest EU Procurement Directive, the Council is required to update its Contract Procedure Rules to make them compliant. Other Amendments to the Rules reflect changes to the internal responsibility for the procurement team.

3. Alternative Options

- 3.1 No alternative options are presented.

4. Supporting Information and Proposals

- 4.1 The Council's Contract Procedure Rules require updating from time to time to ensure that they reflect changes in legislation and are fit for purpose. Attached at Appendix 1 to this report are proposed revised Contract Procedure Rules. The changes to the rules are detailed in the following paragraphs.
- 4.2 Every year the European Commission publishes new EU procurement thresholds for different types of contacts and the Rules have been amended to include these at Rule 3.
- 4.3 The Public Contract Regulations 2015 which implements the latest EU Procurement Directive require the Council to facilitate electronic tendering. Contracting Authorities under the Regulations (such as local authorities) are required to have this in place by 2018. However, the Council has been trialling the use of an electronic tendering system (whilst still requiring paper tenders) which has proved reliable and has appropriate safeguards built in. It is proposed that the Council switches electronic tendering now which is in line with the Council's Digital Challenge programme. The changes are contained at Rule 24 which does retain the ability to use a paper process if required for specific reasons.
- 4.3 With effect from 1 January 2016 the Procurement Team became part of the Governance Team within Corporate and Financial Management and the Rules have been amended accordingly. In addition, the opportunity has also been taken to review the Rules to ensure that the terminology is consistent throughout and that the rules are in a more logical order.

5. Strategic Plan References

- 5.1 The manner in which Council governs its business is an underpinning mechanism in the Council's Strategic Plan aims to set out the direction and future potential for our Borough.

6. Financial Considerations

- 6.1 No direct implications.

7. Equality, Diversity and Human Rights Implications

- 7.1 An Equality Impact Assessment Statement has been prepared on the Constitution and is available on the Council website. The following link is to the Equality Impact Assessment:
<http://www.colchester.gov.uk/CHttpHandler.ashx?id=2287&p=0>

8. Publicity Considerations

- 8.1 All amendments to the Council's Constitution will be published on the Council's website.

9. Consultation, Community Safety, Health and Safety and Risk Management Implications

- 9.1 No direct implications.

Appendix 1 – [Contract Procedure Rules](http://www.colchester.gov.uk/YourCouncil/Committees,AgendasandMinutes/Cabinet/27January2016) (www.colchester.gov.uk/ Your Council/Committees, Agendas and Minutes/Cabinet/27 January 2016)