

Extract from Financial Rules

<p>Orders for Works, Goods and Services</p>	<p>Head of Paid Service or Chief Finance Office to approve individual limits for Officers of the Council or Publica for the approval of purchase requisitions and official orders, normally assigned within the following levels of authority (but also based on budget amounts):-</p> <p>Amounts not in excess of £10,000 - authorised budget holder</p> <p>Amounts in excess of £10,000, not in excess of £50,000 - authorised budget holder or Publica/Council Service Manager</p> <p>Amounts in excess of £50,000, not in excess of £100,000 - authorised Publica/Council Service Manager or Publica Executive Director/Council Head of Paid Service or Council/Publica Group Manager</p> <p>Amounts in excess of £100,000, not in excess of £250,000 - Publica Executive Director/Council Head of Paid Service or Council/Publica Group Manager or Section 151 Officer or Deputy Section 151 Officer</p> <p>Amounts in excess of £250,000 - Section 151 Officer or Deputy Section 151 Officer</p>
---	---

Extract from Contract Rules

5. CONTRACT VALUES

5.1 Where the total value for a purchase is within the values in the first column below, the award procedure in the second column must be followed:

Estimated Total Contract Value	Contract Letting Requirements & Forms of Contract
Up to £10,000	<p>The Budget Holder can purchase from the source that offers the Best Value for Money to the Authority.</p> <p>This could be demonstrated by the obtaining of 2 written Quotes, where this is possible.</p> <p>Contracts shall be by purchase order with standard terms and conditions attached.</p>
From £10,001 to £50,000	<p>Shall be advertised on the website of the Authority (and/or other public advertisement as determined by the Authorised Officer) unless, in consultation with the S151 officer, and the Council's Solicitor, it is agreed to approach suppliers on an ad hoc basis (in which case 3 written quotes shall be sort).</p> <p>Any procurement opportunity over £25,000.00 that is advertised shall also be advertised on Contract Finder using the Authority's e-procurement system within 24 hours of any other adverts appearing together with unrestricted and full direct internet access to relevant contract documents.</p> <p>Procurement opportunities advertised on Contract Finder shall be procured using the Open Procedure.</p> <p>A formal written contract approved by the Council's Solicitor must be utilised.</p>
From £50,001 to EU Threshold	<p>Shall be advertised on the website of the Authority and on Contract Finder using the Authority's e-procurement system (within 24 hours of any other adverts appearing) (and/or other public advertisement as determined by the Authorised Officer) together with unrestricted and full direct internet access to relevant contract documents</p>

	<p>An open procedure shall be followed for goods and services.</p> <p>Pre-Qualification Questionnaires (PQQ's) can be used in procurements above the lower EU threshold for goods and services for tender opportunities for works contracts.</p> <p>A formal written contract prepared/approved by the Council's Solicitor must be utilised.</p>
EU Threshold and Above	<p>Shall be advertised in the Official Journal of the European Journal (OJEU), on the website of the Authority and on Contract Finder using the Authority's e-procurement system (within 3 days of the receipt of OJEU notice at publications office or within 24 hours of the OJEU notice being published) (and/or other public advertisement as determined by the Authorised Officer).</p>

6. EXEMPTIONS AND WAIVERS

6.1 Subject to the written approvals referred to in Contract Rule 6.2 below, waivers of any of these Contract Rules shall only be given in the following exceptional circumstances:-

6.1.1 Where the goods, materials, works or services are of a unique or specialised nature or are identical or similar to or compatible with an existing provision so as to render only one or two sources of supply appropriate, including:

- an upgrade; or
- where the contract concerns, wholly or mainly, repairs to or the supply of parts for existing proprietary machinery, plant or equipment and the repairs to or the supply of parts cannot be carried out practicably by alternative Contractors; or

6.1.2 The goods or materials to be purchased are proprietary articles or are sold only at fixed prices; or

6.1.3 The price of services, goods or materials to be purchased is controlled by trade organisations, or if for other reasons there would be no genuine competition; or

6.1.4 Where in the opinion of the Authorised Officer in consultation with the s151 Officer and the Council's Solicitor considers that the services to be provided or the work to be executed or the goods or materials to be purchased are urgent; (subject to the action being reported to the next Cabinet Meeting) or

6.1.5 Specialist consultants, solicitor, barrister, agents, artist or professional advisers are required and:

- a. There is no satisfactory alternative; or
- b. Evidence indicates that there is likely to be no genuine competition; or

c. It is, in the opinion of the Authorised Officer, in the Authority's best interest to engage a particular consultant, solicitor, barrister, agent, artist or adviser; or

6.1.6 The goods or materials to be purchased are within a bulk purchasing agreement made between the Authority and a consortium or other organisation approved by the Authority; or

6.1.7 The works to be executed or the goods or materials to be purchased can only be carried out or supplied by a statutory body.

6.2 These Contract Rules cannot be waived for the procurements above the relevant EU Threshold. Where it is possible to waive these Contract Rules, any such waiver must be agreed by:

6.2.1 Cabinet for contracts above £100,000.00 or the Head of Paid Service in consultation with the Leader of the Authority if the matter requires an urgent decision and a meeting of the Cabinet cannot be called; or

6.2.2 The Budget Holder, in consultation with the Section 151 Officer and the Council's Solicitor if the contract is £100,000.00 or less.

6.3 A record of the decision and the reasons for it shall be kept and the waiver itself shall be kept by the Council's Solicitor.

(END)