

Report to: Council Functions Committee

Date of meeting: 25th February 2010

Report of: Procurement Manager

Title: Contract Procedure Rules

1.0 **SUMMARY**

1.1 To consider the proposed Contract Procedure Rules in appendix 1

2.0 **RECOMMENDATIONS**

2.1 To recommend to Council the adoption of the Contract Procedure Rules as set out in appendix 1

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Report approved by: Head of Legal and Property

3.0 **DETAILED PROPOSAL**

3.1 As members will know Watford has entered into a shared service with Three Rivers District Council to jointly operate a number of services including Finance, Revenues and Benefits, IT and Human Resources. The two Councils also share a Procurement Manager.

3.2 The shared service is managed by way of a Joint Committee arrangement. Under the provisions of Local Government Act 1972 a Joint Committee is not a legal entity in its own right and therefore cannot enter into contracts. When it is necessary to procure anything for the shared service the Joint Committee will determine which of the Councils will be the contracting body.

- 3.3 Additionally as a general principle any service that is considering entering into a procurement for goods or services should be looking to see if value for money could be obtained by joining with Three Rivers in the procurement.
- 3.4 At present both Councils have different procurement and contract procedure rules, and in order to make the process of procuring easier for officers work has been undertaken to produce a new set of contract procedure rules that can be adopted by both Councils. These are attached as appendix 1.
- 3.5 Officers in both Councils have been consulted on the content and have no issues.
- 3.6 Subject to any comments from the Working Party it would be the intention to recommend the rules to Council at its March meeting

4.0 **IMPLICATIONS**

4.1 **Financial**

- 4.1.1 The Head of Strategic Finance comments that following contract procedure rules will result in a transparent process and should help achieve value for money.

4.2 **Legal Issues** (Monitoring Officer)

- 4.2.1 The Head of Legal and Property Services comments that the Council needs to have a set of rule governing how it procures contracts

4.3 **Equalities**

- 4.3.1 No implications

4.4 **Potential Risks**

Potential Risk	Likelihood	Impact	Overall score
Watford and Three Rivers continue to operate different rules	1	3	3

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- 4.5 **Staffing**
 - 4.5.1 Staff will have to be briefed on the new rules
 - 4.6 **Accommodation**
 - 4.6.1 N/A
 - 4.7 **Community Safety**
 - 4.7.1 N/A
 - 4.8 **Sustainability**
 - 4.8.1 N/A

Appendices

Appendix 1 Contract Procedure Rules
Background Papers

No papers were used in the preparation of this report.

File Reference

"none".