

MANAGEMENT COMMITTEE – 15 SEPTEMBER 2021**PROPOSED CHANGES TO THE CONTRACT PROCEDURE RULES****REPORT OF THE DIRECTOR****Purpose of Report**

1. To report on the proposed changes to the Contract Procedure Rules for procurement as is required.

Background

2. Rule 8 (Annual Reporting) of ESPO's Contract Procedure Rules stipulates that the Director of ESPO, in consultation with the Director of Law and Governance, shall at least once in each financial year submit a report to the Management Committee in relation to the operation of these Rules.
3. Officers of Leicestershire County Council and ESPO work together on an annual basis to review the Contract Procedure Rules and agree on any draft changes to be proposed for approval.
4. ESPO reported at the Management Committee on 23rd June 2021 that there had been no exceptions to the Rules between 1st July 2018 and 31st May 2021. For the same period a number of extensions by exception were presented of the supporting documents at the meeting.
5. At the same Committee meeting it was reported that Changes to the ESPO Contract Procedure Rules were not proposed at that time. However, proposals to make changes were anticipated over the course of the next year to reflect:
 - (i) changes in UK procurement law when the anticipated Procurement Bill is enacted, possibly in late 2021 or early 2022 and
 - (ii) proposed changes to Leicestershire County Council's Contract Procedure Rules that were being considered by its Corporate Governance Committee, together with other changes to those Rules made by Leicestershire County Council.

Proposed Revisions to ESPO Contract Procedure Rules

6. The proposed changes referred to in (i) above were approved by full Council of Leicestershire County Council' on 7th July 2021.
7. As a result, proposed revisions to ESPO's Contract Procedure Rules are presented in Appendix A.

8. These revisions have been reviewed and are supported by ESPO's Assistant Director: Procurement and Commercial, Head of Procurement and Compliance and Commercial Solicitor.
9. A copy of the proposed Contract Procedure Rules effective from 1st October 2021 is set out at Appendix B to this Report.
10. Should the Management Committee approve the draft revised Contract Procedure Rules they will be published on ESPO's intranet and internet sites and communicated to all relevant managers and staff within ESPO, including via newsletters and other appropriate communication channels.

Recommendations

It is recommended that the Management Committee approve the proposed amendments to the Contract Procedure Rules detailed at Appendix A and therefore the proposed Contract Procedure Rules Appendix B.

Equal and Human Rights Implications

The Rules ensure that all suppliers and potential suppliers receive equal treatment when bidding for contracts.

Background Papers

None.

Officer to Contact

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Appendices

Appendix A:

Table of proposed amendments to ESPO Contract Procedure Rules from 1st October 2021

Appendix B:

Copy of the proposed Contract Procedure Rules from 1st October 2021