

WEST MIDLANDS FIRE AND RESCUE AUTHORITY

14 FEBRUARY 2011

1. **REVISION TO PROCUREMENT STANDING ORDER**

Joint report of the Chief Fire Officer and Clerk Designate.

RECOMMENDED

- 1.1 THAT the Authority approve the amendments to the Procurement Procedures Standing Order, attached as Appendix 1 to this report.
- 1.2 THAT the Authority approve the revised terms of reference for the Executive Committee attached as Appendix 2 to this report.

2. **PURPOSE OF REPORT**

This report is submitted to Members to seek approval to amend Standing Order 1/8 Procurement Procedures and the Terms of Reference for the Executive Committee, particularly in relation to the opening of formal tenders and reporting arrangements.

3. **BACKGROUND**

- 3.1 At the Authority meeting on 30 November 2009 Members approved the revised Standing Order 1/8 Procurement Procedures. The amendments related to the submission, opening, registration and acceptance of formal tenders and incorporated changes to the financial thresholds for quotations and tenders.
- 3.2 At the annual meeting of the Authority on 28 June, 2010, a further minor amendment to the procurement procedure was approved to remove the Clerk, at her request, from the tender opening process.
- 3.3 Since the introduction of the revised Standing Order a number of further minor amendments are now proposed.

- 3.4 Under the current arrangements tenders in excess of £100,000 are currently opened in the presence of the Chairman, the Administrative Officer (Secretariat), the Director of Finance and Procurement and the Corporate Procurement Manager or their nominated representatives. At the request of the Chairman it is proposed that he is removed from the tender opening process. The procedure for registering tenders will remain unchanged.
- 3.5 It is proposed that the retrospective summary report of tender contract awards is submitted to the Executive Committee/Authority twice yearly as opposed to the current quarterly arrangements. These reports are for information purposes only.
- 3.6 It is proposed that the responsibility for the approval of quotes other than the lowest between £3,000 and £29,999 be changed from the Director with line management responsibility to the Corporate Procurement Manager.
- 3.7 It is proposed that the responsibility for the approval of exemptions for contracts under £30,000 be changed from the Director of Finance and Procurement to the Corporate Procurement Manager.
- 3.8 The proposed amendments are set out in the Procurement Procedures Standing Order, attached as Appendix 1, and these further regularise the position of the Authority when compared to the procurement procedures in the majority of the other local authorities in the West Midlands area.
- 3.9 If the amendments to procurement procedures are approved, it will be necessary to make appropriate amendments to the terms of reference of the Executive Committee. A draft revised terms of reference is attached as Appendix 2.

4. **EQUALITY IMPACT ASSESSMENT**

In preparing this report the Preliminary Equality Impact Assessment identified this Standing Order as low impact and a full Equality Impact Assessment is not required.

5. **LEGAL IMPLICATIONS**

The review of this Standing Order complies with the Public Contract Regulations 2006 in which Fire and Rescue Authorities are defined as Contracting Authorities.

6. **FINANCIAL IMPLICATIONS**

There are no financial implications as a result of the course of action recommended.

BACKGROUND PAPER

Authority meeting dated 30 November 2009 Agenda Item 7
The Public Contract Regulations 2006

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CHIEF FIRE OFFICER

NEERAJ SHARMA
CLERK DESIGNATE