

<b>area</b>		
<b>The inspection of the authority's area to detect any statutory nuisance.</b>	<b>Council</b>	<b>Head of Housing and Health</b>
<b>The obtaining of particulars of persons interested in land under section 16 of the Local Government (Miscellaneous Provisions) Act 1976 or S.330 Town &amp; Country Planning Act as amended 1990</b>	<b>Council</b>	<b>Head of Democratic &amp; Legal Services and <u>Head of Housing and Health</u></b>
<b>The appointment of any individual</b>  <b>(a) To any office other than an office in which he is employed by the authority:</b>  <b>(b) To any body other than</b>  <b>i. The authority;</b>  <b>ii. A joint committee of two or more authorities; or</b>  <b>(c) To any committee or sub-committee of such a body</b>	<b>Council</b>	<b>Head of Paid Service</b>

### **Procedure at meetings**

- 8.5 Meetings of the Panel will be conducted in accordance with the Executive Procedure Rules.

### **Joint Committee Arrangements**

The council has entered into joint arrangements with neighbouring authorities for the joint provision of various services that cut across local government boundaries. These arrangements have been individually agreed with the relevant neighbouring councils as follows:

#### **9.0 East Herts/North Herts/Stevenage/Hertsmere CCTV Joint Committee Executive Board**

##### **Purpose of the CCTV Executive Board**

- 9.1 To discuss and agree the strategic and policy issues relating to the jointly owned and operated CCTV Control and Monitoring service.
- 9.2 To deal with all matters defined under the CCTV 'Code of Practice' as the responsibility of the CCTV Executive Board.
- 9.3 To consider and approve expansion or contraction proposals for the CCTV Control Room, Network, and monitoring service.
- 9.4 To consider and agree changes to the CCTV 'Code of Practice'.
- 9.5 To ensure the Independent inspection regime is set up and maintained.
- 9.6 To receive and approve the Independent Inspectors annual report.
- 9.7 To consider complaints regarding any breaches of the CCTV 'Code of Practice' and recommendations for preventing breaches. To recommend disciplinary action where appropriate.

- (b) to issue Stop Notices, Enforcement Notices, Enforcement Orders and Advert Removal Notices To issue Breach of Condition Notices and Notices under Section 215 of the Town and Country Planning Act 1990 as amended in consultation with the Head of Legal and Democratic Services; and
  - (c) in cases of urgency and subject to consultation with the Chairman, (or Executive Member for Development Management and Council Support or Vice Chairman if the Chairman is not available in the first instance), to arrange for the serving of, temporary stop notices, urgent works notices, repairs notices and Directions under Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, and directions relating to unlisted buildings in conservation areas.
- 15.7 In consultation with the Head of Legal and Democratic Services, to apply for injunctions inappropriate cases where there are any breaches of planning and/or building control, Tree Preservation Orders, or Listed Building and Conservation legislation where it is felt that contravention of planning and/or building control has taken place, and to give any undertakings in damages in such cases.
- 15.8 To determine whether or not it is expedient to take enforcement action where a breach of planning control has occurred, save where a Member requests the matter be referred to the DM Committee and, in those cases with the agreement of the Chairman of the DM Committee.
- 15.9 To make Tree Preservation Orders, and to determine applications for consent for the cutting down, topping or lopping of trees applications under the Hedgerow regulations 1997 Town and Country Planning Act 1990 and exercise the powers and duties relating to high hedges under the Anti-social Behaviour Act 2003.

15.10 To exercise the council's powers under Section 70(a) of the Town and Country Planning Act 1990, by declining to determine an application for planning permission for the development of any land where, within a period of two years, ending with the date on which the application is received, the Secretary of State has refused a similar

the banking paying-in-slip or a format agreed with the Chief Financial Officer.

- 7.3 An official receipt is a written or printed acknowledgement given on behalf of the council for monies received. Such acknowledgement shall be given from a cash receipting system which has been approved for use by the Chief Financial Officer.
- 7.4 All monies shall be held and transported securely in accordance with any requirements from the Chief Financial Officer.
- 7.5 Each budget holder is responsible for ensuring that accounts are promptly and accurately raised in respect of charges for work done or goods or services supplied. This includes cases where sponsorship money or grant income is due.
- 7.6 The Chief Financial Officer may write off irrecoverable debts up to a limit of ~~£25,000~~£10,000 in any one case. Irrecoverable debts in excess of this amount shall be referred to the Executive.

## **8.0 Contracts**

- 8.1 All contracts made for and on behalf of the council shall be subject to the Contract Procedure Rules, these FPRs and any other statutory provision, except in circumstances where the council is acting as an agent for another organisation which specifically directs otherwise.
- 8.2 The Chief Financial Officer shall maintain a register of payments due and made under formal contracts over £50,000 to show the state of account on each contract between the council and the contractor, together with any other payments.
- 8.3 Payment on account of the contract sum shall be made only on a certificate signed by the appropriate budget holder. The certificate shall show, as a minimum, the total amount of the contract, the value of work executed to date, retention money, amount paid to date and the amount now certified.
- 8.4 Before a certificate for final payment under a contract is paid, the appropriate budget holder shall produce to the Chief Financial Officer a detailed written statement of account, together with such other documents as may be required.

8.5 Subject always to the council's Contract Procedure Rules in Part 4H of this Constitution, the appropriate budget holder shall be empowered to authorise a variation or addition to a contract. Where the variation or addition is estimated to result in a material increase, that is the higher of 5% of the contract value or £10,000, it must be approved in advance by the Chief Financial Officer.

8.6 Where completion of a contract is delayed, except for reasons qualifying for an extension of the contract, it shall be the duty of the budget holder to supply the Chief Financial Officer with all necessary information to allow the correct amount of Liquidated and Ascertained Damages to be claimed.

#### **9.0 Treasury Management**

9.1 The council has adopted the Chartered Institute of Public Finance and Accountancy (CIPFA) 'Code for Treasury Management in Local Authorities'. If deemed necessary, the Chief Financial Officer shall advise the Executive of any significant amendment to the CIPFA Code.

9.2 The Chief Financial Officer shall be authorised to make investment, borrowing and financing decisions on behalf and in the name of the council. All decisions shall be taken in accordance with the council's Treasury Management Investment Strategy.

9.3 All monies held by the council shall be aggregated for the purposes of treasury management and shall be under the control of the Chief Financial Officer.

9.4 All investments and borrowing, including for any Trust administered by the council, shall be made in the name of the council and any deeds relating to such funds shall be deposited with the Monitoring Officer or otherwise as deemed appropriate by the Chief Financial Officer.

9.5 The Chief Financial Officer is given the authority to deal with any emergency situation that may arise in relation to any matters not already delegated within the Treasury Management Policy. Use of emergency authority will be reported at the next meeting of the Executive.

## **10.0 Staffing**

- 10.1 The Head of Human Resources and Organisational Development shall make and control arrangements for the payment of salaries, wages, expenses and benefits to officers in accordance with the approved salary scales and wage rates.
- 10.2 The Head of Human Resources and Organisational Development shall be provided with the appropriate documentation required to ensure the payment of salaries, wages, pensions and other expenses due to officers.
- 10.3 All claims for payment must be made as soon as possible and in no circumstances should a claim be delayed for more than three months after the date on which the work was done or the expenses incurred.
- 10.4 Matters which affect officer payments shall be referred direct to the Head of Human Resources and Organisational Development. Notification shall include:
- (a) details of all appointments, resignations, dismissals, suspensions, secondments and transfers;
  - (b) details of any training;
  - (c) changes in remuneration except for national pay increases;
  - (d) absence from duty for sickness or other reason, apart from approved leave; and
  - (e) information necessary to maintain records for pension, income tax, national insurance and the like.
- 10.5 The Head of Human Resources and Organisational Development shall maintain appropriate records and make arrangements for the payment of sums due to Members in accordance with the Allowance Scheme approved by the Council.

## **11.0 Insurance**

- 11.1 The Chief Financial Officer shall make and control arrangements for the provision of necessary insurance cover and for the negotiation of any insurance claims.
- 11.2 The Chief Financial Officer shall obtain competitive quotations from Insurers for the provision of insurance at least every five years unless otherwise determined by the current contract term or the Executive.
- 11.3 All budget holders shall notify the Chief Financial Officer of all insurable risks arising from the activities carried out in their area of operation. Such notification shall include:
- (a) the acquisition of any property which is capable of insurance against fire or other risks;
  - (b) any amendment to the value of any council-owned asset likely to affect the insurable risk; and
  - (c) any insurable risk which may arise through the activities of Members or officers of the council.
- 11.4 All Heads of Service shall notify the Chief Financial Officer of the occurrence of any event which may give rise to a claim under any policy of insurance held by the council or to an ex gratia payment.
- 11.5 The Chief Financial Officer shall be authorised to make the appropriate reimbursement of any insurance claim up to the excess limit of the insurance policy concerned.
- 11.6 The Chief Financial Officer shall in consultation with the Head of Human Resources and Organisational Development be authorised to make appropriate ex gratia payments and write off the loss of any stores, equipment and other assets up to £1,000.
- 11.7 All appropriate officers of the council shall be included in a suitable fidelity guarantee insurance.
- 11.8 Officers shall consult the Chief Financial Officer in respect of the terms of any indemnity which the council is requested to give.
- 12.0 Property**



**Appendix 1: Scheme of Financial Delegations**

Formatted Table							
Financial limits of delegation							
Financial action	Council	Executive	Chief Executive	Chief Financial Officer	Heads of Service	Service Managers	Budget holders
<b>Budget setting</b>							
Annual approval of the Medium Term Financial Plan	No financial limit and no delegation of authority	No delegated authority	No delegated authority	No delegated authority	No delegated authority	<u>No delegated authority</u>	No delegated authority
Approval of annual out-turn and subsequent required actions	No financial limit and no delegation of authority	No delegated authority	No delegated authority	No delegated authority	No delegated authority	<u>No delegated authority</u>	No delegated authority
In year capital funding approval	No financial limit	Up to £500,000	Up to £250,000	Up to £100,000	No delegated authority	<u>No delegated authority</u>	No delegated authority
<b>Management of approved budgets</b>							
Expenditure within approved capital and revenue budgets	Delegated to officers	Delegated to officers	Delegated to budget holders	Delegated to budget holders	Delegated to budget holders	<u>Delegated to budget holders</u>	Up to approved budget
Authority to use earmarked reserves	Delegated to officers	Delegated to officers	Delegated to Chief Financial Officer	No financial limit	No delegated authority	<u>No delegated authority</u>	No delegated authority
Purchase order approval and/or contract award	Delegated to officers	Delegated to officers	No financial limit	No financial limit <del>Up to £500,000</del>	Up to £500,000 <del>£400,000</del>	<u>Up to £100,000</u>	No authority unless delegated by Head of Service as shown on <u>Authorised signatory list</u> .
Payment of grants	Delegated to officers	Delegated to officers	No financial limit	No financial limit <del>Up to £500,000</del>	Up to £500,000 <del>£400,000</del>	<u>Up to £100,000</u>	No authority unless delegated by Head of Service as shown on <u>authorized signatory list</u> .
Virements within a service's approved budgets	Delegated to officers	Delegated to officers	No financial limit	Up to £100,000	Up to £50,000	<u>No delegated authority</u>	No authority unless delegated by Head of Service
Virements across services, within overall approved budget levels	Delegated to officers	Delegated to officers	No financial limit	Up to £100,000	No delegated authority	<u>No delegated authority</u>	No delegated authority
Write offs / waivers of income due	No financial limit	Up to £100,000	Delegated to Chief Financial Officer / Heads of Service	Up to £25,000	Up to £5,000	<u>Up to £1,000</u>	No authority unless delegated by Head of Service
Insurance and other settlements	No financial limit	Up to £250,000	Up to £100,000	Up to £25,000	No delegated authority	<u>No delegated authority</u>	No delegated authority

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## Item 4h

### **Part 4H - Contract Procedure Rules**

#### **1. Introduction**

- 1.1 These contract procedure rules (CPRs) have been issued in accordance with Section 135 of the 1972 Local Government Act and adopted by East Herts Council to give consistency to procurement across the council.
- 1.2 Procurement is the process by which the council manages the acquisition of all goods, services and works. It includes the identification of need, consideration of options and the actual procurement process.
- 1.3 Officers responsible for purchasing on behalf of the council (herein terms 'officers' within this Part 4H of the Constitution) must comply with these CPRs. They provide the minimum requirements although a more thorough procedure may be appropriate for specific contracts.
- 1.4 These CPRs provide a framework for the procurement of all goods, services and works for the council. They are designed to ensure that all procurement activity is conducted with openness, probity and accountability. These CPRs are designed to ensure that the council obtains Value for Money and the required level of quality and performance in all contracts.
- 1.5 These CPRs must be read in conjunction with the relevant council's Constitution and the Procurement Strategy.
- 1.6 The disposal of assets and the acquisition, use and disposal of land and buildings are not covered by these CPRs and are to be considered alongside the Financial Procedure Rules.
- 1.7 For the purposes of these CPRs there is a requirement for all communication to be in writing except where otherwise specified. This shall be deemed to include electronic communication, use of e-procurement and fax transmissions or hard copy.

1.8 In the event of doubt as to the interpretation of the CPRs, take advice from the Monitoring Officer.

## **2. Basic principles**

2.1 It is essential that the following EU Treaty Principles **MUST** be upheld in any procurement:

- (a) transparency – contract procedures must be transparent and contract opportunities must generally be publicised;
- (b) equal treatment and non-discrimination – potential suppliers must be treated equally;
- (c) proportionality – procurement procedures and decisions must be proportionate; and
- (d) mutual recognition – giving equal validity to qualifications and standards from other Member States, where appropriate.

2.2 In addition to the above, all procurement must:

- (a) comply with the council's Procurement Strategy, support the council's corporate and departmental aims, strategies, policies and procedure;
- (b) achieve for public money spent;
- (c) be consistent with the highest standards of integrity
- (d) comply with relevant legal requirements;
- (e) be undertaken in a timely fashion;
- (f) ensure that Non-commercial Considerations do not influence any Contracting Decision; and
- (g) be conducted in a sustainable manner, taking environmental impact into account.

## **3. Exclusions**

3.1 All Relevant Contracts must comply with these CPRs but some contracts which the council enters into are not defined as Relevant Contracts and so these CPRs do not automatically apply. These exclusions include:

- (a) the making of grant payments which are covered by the Financial Procedure Rules;
- (b) contracts of employment which make an individual a

- (c) direct employee of the council;  
the engagement of counsel/advocates or other experts by the Legal Services Manager where such engagement falls outside an existing framework for the provision of legal services;
- (d) contracts where delay will adversely impact on the service delivery of the council and there is a prior specialised knowledge of a particular building or asset;
- (e) agreements regarding the acquisition, disposal, or transfer of land. Further guidance must be sought from the Chief Financial Officer;
- (f) the lending and borrowing of money, or
- (g) the purchase or sale by auction or at public fairs and markets;
- (h) the purchase of works of art or museum specimens, or
- (i) agreements in relation to performers and artists at festivals and arts programming; and
- (j) agreements under section 106 of the Town and Country Planning Act 1990 (as amended).

#### **4. Exemptions**

- 4.1 Where a contract is not excluded from these CPRs, that is, the CPRs are applicable, the council may still decide that all or part of these CPRs do not apply to a particular contract. If the council makes such a decision, this is termed an exemption from the CPRs.
- 4.2 It must be noted that if a proposed contract's value is likely to exceed the EU Threshold then the council cannot apply any exemptions to these CPRs.
- 4.3 Exemptions are permissible if a proposed contract's value is likely to be below the EU Threshold but such exemptions must only be sought in exceptional circumstances. Any such exemption must be recorded as it counts as a Contracting Decision.
- 4.4 Exemptions relating to proposed contracts with a likely value between £50,001 and the EU Threshold must be approved by the officer and his or her Head of Service in consultation with the Head of Strategic Finance and Property. The officer must produce evidence to support the request for any exemption.

The Head of Service shall prepare a report for the next Executive to support the action taken. The Head of Service shall keep records of all exemptions granted along with reasons and supporting evidence for such exemptions.

- 4.5 Exemptions relating to proposed contracts with a likely value below £50,000 must be approved by the officer and his or her Head of Service. The officer must produce evidence to support the request for any exemption. There is no requirement to report. The Head of Service shall keep records of all exemptions granted along with reasons and supporting evidence for such exemptions.
- 4.6 Exemptions are likely only to be granted in the following circumstances:
- (a) an unforeseeable emergency involving immediate risk to persons or property, or serious disruption to council services;
  - (b) the goods or services are supplied at a fixed price or the prices are wholly controlled by trade organisations and the relevant Head of Service is satisfied that no satisfactory alternative is available;
  - (c) the works to be executed consist of repair or supply of parts of existing propriety machinery or plant;
  - (d) the items to be supplied consist of goods or services which are currently in use and are required for the purposes of standardisation;
  - (e) the specialised nature of the goods, services to be supplied or the works to be executed means that only one suitable supplier has been identified or is available;
  - (f) emergency action is required and/or immediate repairs are required to buildings, structures and other assets damaged by fire, flood or vandalism;
  - (g) unforeseen works or circumstances where delay will adversely impact on the service delivery for the council or access to external funds; or
  - (h) for a 'pilot' scheme where goods and services are procured on an experimental basis and considered to be the most appropriate approach for a particular scenario and where 'pilot' scheme is for a clearly defined period not exceeding 24 months and where agreed by relevant officer and the Procurement

Manager.

- 4.7 If an exemption is sought which is not for any of the above reasons, advice must first be obtained from the Monitoring Officer in order to determine whether such an exemption can be applied. Exemptions for reasons not listed above will be acceptable only in exceptional circumstances.

**5. Procurement thresholds and key requirements**

- 5.1 Where the Total Value for procurement is within the values in the first column below, the Award Procedure in the second column and the key requirements in the third column must be followed:

<b>Total Value (excluding VAT)</b>	<b>Award Procedure</b>	<b>Key Requirements</b>
Up to <del>£5,000</del> £1,000	Go ahead (see section 9.1)	<ul style="list-style-type: none"> <li>• If assured of value for money; just buy it from anywhere such as ASDA, eBay, Amazon, ARGOS, B&amp;Q and the like.</li> </ul>
<del>£5,001</del> £1,001- £10,000	Quick Quotation Procedure (see section 9.2)	<ul style="list-style-type: none"> <li>• Advertising through In-Tend e-procurement recommended</li> <li>• Invite email or written Quotations from a minimum of three suppliers</li> <li>• No requirement to use Formal Quotation template.</li> </ul>
£10,001 - £50,000	Formal Quotation Procedure (see section 9.3)	<ul style="list-style-type: none"> <li>• Use of In-Tend e-procurement mandatory</li> <li>• Invite a minimum of three Quotations from three suppliers</li> <li>• Use Formal Quotation template.</li> </ul>
£50,001 – EU Threshold	Formal Tender Procedure (see section 9.4)	<ul style="list-style-type: none"> <li>• Use of In-Tend e-procurement mandatory</li> <li>• Use Formal Tender template</li> <li>• Offers to be invited by Tender using the open procedure methodology.</li> </ul>
above EU Threshold	EU Tender Procedure (see section 9.5)	<ul style="list-style-type: none"> <li>• Must always consult the Procurement Manager and the Legal Services Manager</li> <li>• Use of In-Tend e-procurement mandatory.</li> </ul>



## **6. Officer responsibilities**

- 6.1 Officers responsible for procurement must comply with these CPRs, Financial Procedure Rules, the Officers' Code of Conduct, and with all UK and European Union binding legal requirements. Officers must ensure that any Agent, Consultants and contractual partners acting on the council's behalf also comply.
- 6.2 Before requesting Quotations or inviting Tenders the officer must:
- (a) explore whether there is an alternative to buying the goods, services or works;
  - (b) check with the Procurement Manager whether a Relevant Contract exists before seeking to enter into a further contract; if such a Relevant Contract exists, this must be used unless there is an auditable reason not to;
  - (c) check with the Procurement Manager whether a suitable Framework Agreement is available from any Contracting Authority or Professional Buying Organisations before starting a new procurement; where a suitable Framework Agreement exists, consideration must be given to procure from it unless there is an auditable reason not to;
  - (d) confirm that there is approval for the expenditure;
  - (e) seek timely procurement, legal, financial, and other professional advice; and
  - (f) keep records of all Contracting Decisions taken.
- 6.4 The officer must ensure that timely advice is sought from the Head of Legal and Democratic Services when any officer either of the council or of a service provider may be affected by the Transfer of Undertaking (Protection of Employment) Regulations 2006 (TUPE) issues before proceeding with inviting Tenders or Quotations.

## **7. Contract formalities**

- 7.1 All contracts shall be in writing.
- 7.2 Advice from the Procurement Manager must be sought for

the following contract types:

- (a) where the Total Value exceeds the EU Threshold;
- (b) those involving leasing arrangements; or
- (c) where it is proposed to use a supplier's own terms and conditions.

**7.3** All contracts shall clearly specify:

- (a) what is to be supplied, that is, the works/supplies, materials, services, matters or things to be furnished, acquired or done;
- (b) the provisions for payment, that is, the price to be paid and when;
- (c) whether the price stated is inclusive or exclusive of Value Added Tax;
- (d) the time, or times, within which the contract is to be performed; and
- (e) the applicable terms and conditions, including, though not limited to, the provisions for the council to terminate the contract.

## **8. Procedure**

### **8.1 Specification and Award Criteria**

**8.1.1** The officer must prepare a specification document that describes the council's requirements in sufficient detail to enable the submission of competitive offers before starting a procurement process. The specification document must include performance targets and/or the criteria for acceptance and must be outcome or output based.

**8.1.2** Consideration must also be given by the officer to economical, environmental and social benefits of any proposed procurement to include consulting stakeholders where appropriate. Further information and advice can be obtained from the Procurement Manager.

**8.1.3** The officer must define Award Criteria and any sub criteria that are appropriate to the procurement and designed to secure an outcome giving Value for Money for the council. The basic criterion should be:

- (a) 'lowest price'; or
- (b) 'most economically advantageous', where considerations such as quality other than price also apply.

**8.1.4 Award Criteria must not include:**

- (a) considerations that are in conflict with the principles of effective procurement as laid out in section 2 above;
- (b) matters which discriminate against suppliers from the European Economic Area or signatories to the Government Procurement Agreement; nor
- (c) other Non-commercial Considerations.

**8.1.5** Good practice requires that quoted prices or tendered prices must not be altered without justification. However where there is a risk that a priced document may be subject to computational errors then the officer must decide, at the time that the specification is agreed, how such errors will be treated and this should be detailed within the specification. Further advice can be obtained from the Procurement Manager.

**8.2 Advertisement of Quotation or Tender opportunities**

**8.2.1** Officers shall ensure that a sufficiently accessible advertisement is published to generate the appropriate level of interest in the contract. In addition to advertisement through Contracts Finder, advertising may utilise:

- (a) portal websites specifically created for contract advertisements;
- (b) Construction Line or similar specialist portal websites created for contract advertisements;
- (c) the council's website;
- (d) the council's Twitter account;
- (e) national official journals; and
- (f) the Official Journal of the European Union (OJEU), Tenders Electronic Daily (TED) (even if there is no requirement within the EU Procedure).

**8.2.2** The officer must ensure to give Bidders an adequate period in which to prepare and submit a Quotation or Tender consistent with the complexity of the contract requirement. Advice must be

sought from the Procurement Manager but the following are recommended:

Quick Quotation	10 Calendar Days
Formal Quotation	28 Calendar Days
Formal Tender	28 Calendar Days
EU Tender	The timescales are prescribed and vary according to procedure utilised

8.2.3 No Quotation or Tender received after the date and time indicated in the Request for Quotation or Invitation to Tender shall be accepted or considered, other than in exceptional circumstances and the officer must consult with the Monitoring Officer and Procurement Manager.

## **9. Award procedure and detailed requirements**

9.1 Go ahead (Up to ~~£5,000~~ ~~£1,000~~)

9.1.1 Where the estimated value of goods, works or services to be supplied is less than ~~£5,000~~ ~~£1,000~~ the officer must be satisfied that the arrangements made secure the best available terms for the council.

9.2 Quick Quotation procedure (~~£5,001~~ ~~£1,001~~- £10,000)

9.2.1 All requests for a Quotation where the contract has a value of under £10,000 shall be subject to the council's Standard Terms and Conditions unless other terms and conditions have been approved by an officer of the council's Legal Service.

9.2.2 Officers MUST be able to evidence that Quotations were sought from at least three suppliers.

9.2.3 Officers are encouraged to use the In-Tend e-procurement portal.

9.2.4 If e-procurement has not been used then the officer must ensure that:

- (a) the date and time of receipt of each Quotation is suitably recorded;

(b) the details of the Quotation are not disclosed to any

- interested party;
- (c) there are no changes or amendments to the Quotation after submission; and
- (d) all Quotations are evaluated at the same time and that each Bidder is simultaneously advised in writing of the outcome.

### 9.3 Formal Quotation procedure (£10,001- £50,000)

- 9.3.1 The Request for a Formal Quotation shall be issued through the In-Tend e-procurement portal using the council's standard template as appropriate for supplies, services or works, making clear the appropriate terms and conditions of contract as agreed with the council's Legal service. This approach will make clear that no Formal Quotation will be considered unless it is received by the date, time and method stipulated.
- 9.3.2 All organisations invited to provide a Quotation must be issued with the same information at the same time and subject to the same conditions.
- 9.3.3 A minimum of three Formal Quotations shall be invited where the officer is satisfied that competitive Quotations will be received from those three. Where the officer is unsure of the market, consideration may be given to using an open process provided the officer is satisfied that this will not generate an excessive volume of responses.
- 9.3.4 Providing Clarification of a Request for a Quotation to a Bidder is permitted and is provided for within In-Tend e-procurement.
- 9.3.5 The officer must consult with the Procurement Manager concerning the allocation of roles within the In-Tend e-procurement.
- 9.3.6 For the receipt and opening of a Formal Quotation there must be strict compliance with the requirements of In-Tend e-procurement.

### 9.4 Formal Tender procedure (£50,001- EU Threshold)

- 9.4.1 All procurement above £50,000 shall be conducted in accordance with advice from the Procurement Manager and

shall involve seeking offers through Tender in line with an open procurement approach.

9.4.2 In all cases, the In-Tend e-procurement system should be used.

9.5 Tender procedure

9.5.1 The exact procedure will vary depending on the procurement method employed, however, all stages of the process will be conducted through the In-Tend e-procurement portal and shall specify the supplies, services or works that are required together with the appropriate terms and conditions of contract. It should be made clear that no submission will be considered unless it is submitted via the In-Tend e-procurement portal.

9.5.2 All organisations invited to participate in the procurement process must be issued with the same information at the same time and subject to the same conditions. All dialogue with Bidders during the process must be dealt with and/or recorded using the In-Tend e-procurement portal.

9.5.3 Providing Clarification of any matter within the procurement process is permitted and is provided for within the In-Tend e-procurement.

9.5.4 For the receipt, opening and/or handling of any submission made within the procurement process, there must be compliance with In-Tend e-procurement.

9.5.5 The officer must ensure that any contract is awarded in line with the delegated authority levels set out in the Financial Procedure Rules.

9.6 EU (European Union) Tender Procedure (above EU Threshold)

9.6.1 All procurement above the EU Thresholds shall be conducted in accordance with the advice given in section 9.4 above, save that additional options are available, these being:

- open tender;
- restricted tender;
- competitive dialogue; or
- competitive dialogue with negotiation.