

# Appendix A – Executive Summary

## Changes to TWBC Contract Standing Orders

### General updates:

- All references to the Official journal of the European Union (OJEU) have been replaced with Find a Tender Service (FTS) – **Legislative change**
- References to 'Value for Money' have been updated to 'Best Value' – **Best practice, as VFM can be misinterpreted as 'cheapest'**
- Various minor wording amendments and corrections – **Suggested by Legal and accepted**
- Updated wording on VAT – **Contract values must be calculated inclusive of VAT, as per the update in 2022 (Legislative change)**

### Specific updates:

#### **Section 1 – 3: Authority to contract.**

- Changed wording to state relevant Cabinet member must be informed and approve the release of tenders likely to exceed FTS thresholds – **Efficiency, as previous wording called for the Cabinet to approve the release of tenders which would potentially slow the process.**

#### **Section 3 – 7: Thresholds**

- Table updated to reflect the proposed changes to TWBC thresholds. Wording has also been included to ensure that RFQ processes can proceed to contract as long as a sufficient number of quotations has been sought: **'If a suitable number of quotations have been sought but the number of quotations received falls below the requirement, officers may proceed with evaluation, and award a contract if appropriate'**

#### **Sections 4 to 6: Procedures**

- All updated to reflect the revised thresholds.
- Mandated use of local suppliers for contracts under £5k – **Evidence must be provided if a local supplier is not feasible**
- Updated wording on reserved contracts – **Reference to correct PPN**
- Mandated consultation with Procurement for processes exceeding £25k to agree sourcing plan – **Best practice, ensures compliance and enables us to challenge on evaluation criteria and contract management plans**

#### **Section 8: Use of Selection Questionnaires (SQ)**

- Wording updated

#### **Section 9 – Tender Opening Procedure**

- Wording updated to allow Procurement to open tenders up to FTS level – **Legal will still be required to open all tenders undertaken via an FTS level process**

#### **Section 10 – Execution of contracts**

- Wording updated to allow authorised officers to sign contracts rather than Legal
- Sealing limits revised

#### **Section 13 – Waiver of standing orders**

- Wording updated to identify a waiver as a non-conformance event for the purposes of reporting – **This has been in place since late 2017 but not reflected in the constitution**

#### **Delegated Authority Matrix**

To be confirmed – **draft submitted for review in Appendix B**