

Proposed Revised Scheme of Tender Procedures (SoTP)

Summary of areas being reviewed/amended - April 2023

The current SoTP is Contract Standing Orders – Scheme of Tender Procedures 2018
[Scheme of Tender Procedures 2018 v4 updated Feb 2021](#)

The main proposed amendments to the above Contract Standing Orders are summarised below (some renumbering and relocation of content):

<p>New requirement for 1.5 that provides guidance on Contracts/frameworks created by other procuring bodies such as Scotland Excel, Crown Commercial Services etc.</p>
<p>New requirement for 1.6 that provides more details on where the SoTP does not apply (some examples) of commercial arrangements such as COSLA, CIPFA etc</p> <ul style="list-style-type: none">o Contracts of employmento Heritable propertyo Direct payments under Social Care (Self Directed Support) (Scotland) Act 2013
<p>New requirement for 5 that provides details and clarity for suspending or varying the SoTP and specifically 5.2 that makes it an officer decision with a follow up report to the appropriate committee. This is a change as the current SoTP indicates a report to a committee prior to any actions being undertaken.</p>
<p>New requirement for 8.3 that provides details and clarity around the need to consider VAT in any estimated Contract Values.</p>
<p>Updated content for 9 and 10 that includes ongoing discussions with Devolved Procuring Areas (specifically Property services and Building Services) around the scope of their DPA and a more defined role of the In – House Works Providers is ongoing.</p>
<p>New requirements for 10.2 and 10.3 Goods/Services and Works</p> <p>Before a procurement exercise is undertaken (regardless of value) the procuring officer must consider the environmental and economic impact of the goods/services.</p> <p>Consideration should be given to</p> <ul style="list-style-type: none">• Whether there is a need to buy• What is being bought (are there more suitable alternatives)• How much is being bought• What route to market is being utilised <p>In all cases the availability (regardless of value) of existing contracts or frameworks must be utilised. Only where no contract/framework exists should a procurement exercise be undertaken.</p> <p>Thresholds and Processes and in particular the need to consider local procurement – current wording (following Consultation with Local Procurement Group)</p>

Goods/Services over £5,000 up £49,999 In an effort to support the Recovery and Reform Agenda and increase Fife Council's Local Spend procuring officers should obtain at least three quotations seeking local companies where it is best value (Documentary evidence must be retained either by the Procuring Officer or centrally within their team).

- Obtain at least three quotations. Where at all officers should use the Quick Quote facility on PCS.
- Officers should make best efforts to ensure at least one Fife – based SME (Small and Medium sized Enterprise), Supported Businesses, social inclusive enterprises or third sector organisation, or a business which is a significant employer within Fife is invited to quote.

Documentary evidence must be retained either by the Procuring Officer or centrally within their team) must follow the Low Value Order process

Alternatively, the procuring officer may elect to Tender the contract opportunity. Should this route be taken, the procuring officer must provide details to Corporate Procurement.

Works over £10,000 up £1,999,999 In an effort to support the Recovery and Reform Agenda and increase Fife Council's Local Spend procuring officers should obtain at least three quotations seeking local companies where it is best value (Documentary evidence must be retained either by the Procuring Officer or centrally within their team).

- Obtain at least three quotations. Where at all possible officers should use the Quick Quote facility on PCS.
- Officers should make best efforts to ensure at least one Fife based SME/Supported Business/social enterprise/3rd Sector organisation/or a business that is a significant employer within Fife is invited to quote.

Documentary evidence including a justification if above is not possible must be retained either by the Procuring Officer or centrally within their team.

Alternatively, the procuring officer may elect to Tender the contract opportunity. Should this route be taken, the procuring officer must provide details to Corporate Procurement.

New requirements for 10.6 that provides details and clarity on Direct Purchasing and is in line with appropriate regulations (2015 and 2016).

Amendment within 12.1 BTS to be provided with DPA (like all other services) to carry out ICT related procurements under £50k exercises (at present all requirements, regardless of value, requirements should come to Corporate Procurement (Category Manager)

New requirements for 20, 21, 22 that adds in a requirement to submit a report to the Procurement Review Board (before making any awards or materials changes) to any Contracts/Frameworks.

