

ADDITIONAL MEETING

CONTRACT SCRUTINY PANEL AGENDA



Tuesday 21st November, 2006

at 9.00 a.m.

in Committee Room 'A'

MEMBERS: CONTRACT SCRUTINY PANEL:

Councillor Akers-Belcher, Johnson, Lilley, London and Wistow

1. **APOLOGIES FOR ABSENCE**
2. **TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**
3. **ITEMS FOR INFORMATION**
 - 3.1 Local Housing Assessment Commission – *Chief Solicitor (to follow)*
4. **ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT**
5. **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

EXEMPT ITEMS

Under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in the paragraphs referred to below of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) Act 1985

ADDITIONAL MEETING

6. OPENING OF TENDERS

- 6.1 Opening of Tenders – Local Housing Assessment – *Director of Regeneration and Planning Services & Director of Neighbourhood Services* (para 3)

7. ANY OTHER EXEMPT ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT

ITEMS FOR INFORMATION

- i) **Date of Next Meeting Monday 27th November 2006 commencing at 10.00am.**
Venue to be confirmed

CONTRACT SCRUTINY PANEL

21st November 2006



Report of: Chief Solicitor

Subject: LOCAL HOUSING ASSESSMENT
COMMISSION

1. PURPOSE OF REPORT

To acquaint the Panel with the exercise by the Chief Solicitor of delegated power to approve a departure from Contract Procedure Rules

2. BACKGROUND

Contract Procedure Rules require that all tenders are to be returned to the Chief Executive and to remain in his custody until opened at the Contract Scrutiny Panel.

On 13th November 2006 it became apparent that the tenders for above project had been returned to the Regeneration and Planning Department, rather than to the Chief Executive. The tenders were not then opened and have been retained since by the Chief Executive.

By e-mail dated 13th November to the Chief Solicitor, the Team Leader, Policy Planning and Information Section of the Department of Regeneration and Planning has reported as follows –

“10 consultants were invited to tender after examination of the PQQs [Pre-Qualification Questionnaires] - three have written to say that they won't be tendering.

The tenders were due by 4pm Friday 10th November and by 4pm six tenders had been received. Four tenders were sent by recorded delivery and were received before 12 noon. A further hand-delivered tender was also received before 12 noon when

the part-time receptionist finished work. The sixth tender was received before the deadline of 4pm.

The tender envelopes were all placed unopened in a locked drawer where they remained until shortly before the meeting of the Contract Scrutiny Committee”

On the basis of that information the Chief Solicitor was satisfied that the failure to adhere to Contract Procedure Rules had not given rise to any breach of the security of the tenders up to the point that they were produced at the Contract Scrutiny Panel on 13th November. Accordingly, he considered it was appropriate to waive the requirement of the Contract Procedures Rules relating to the return of tenders to, and their custody by, the Chief Executive. This was done on 13th November.

3. RECOMMENDATION

That the report be noted

4. BACKGROUND PAPERS

Contract Procedure Rules

E-mail of Team Leader, Policy Planning and Information Section of the Department of Regeneration and Planning

E-mail of Chief Solicitor

8. CONTACT OFFICER

Tony Brown Chief Solicitor