

Special Circumstance Policy on Tendering

The aim of obtaining tenders/quotations is to ensure value for money is achieved by the Board on behalf of its ratepayers and hence for this policy to be invoked the Board must have first made every effort to meet its normal adopted policy for financial matters. However occasionally there will be circumstances beyond the control of the Board which will impact upon its ability to meet its normal policy of obtaining them. In such instances it is important that it can be shown that the Board have continued to make every effort to deliver a best value for money approach and have followed a defined procedure in this respect.

Below is the procedure that is adopted by this Board. The procedure will only be implemented when both the Clerk to the Board and the Chairman of the Board formally agree that in their opinion special circumstances exist where either to do other than to apply this deviation from normal procedure would result in an unacceptable increased risk to the district, or where a delay is highly unlikely to lead to any savings.

The defined steps which must be taken to meet this policy are detailed below;

- 1 Be able to show that initially a request for competitive tenders/quotations from a selection of potential good sources, in accordance with the normal financial policy, has been carried out. The exception to this will be where the works, plant, equipment or service is of a specialist nature and hence it will be acceptable to obtain as many tenders/quotes as possible instead.
- 2 The Board will only proceed if they have had a guide price range previously submitted by the consulting engineer prior to any quote to use as a reference.

Assuming that the project tender received falls within that range then

- 3 The Board will instruct the MLC Chief Engineer to review the project and the received tender/quotes(s) checking them against terms of scope, contractor capability and pricing.

The Chief Engineer will then provide a summary report for the Board's consideration. Note, it may be that the Chief Engineer will, if the cost is above the range previously defined range, suggest amending the scope or design, or propose carrying out the work in separate phased stages.

- 4 Provided the Chief Engineer is content with the tender/quote(s) then he will advise so and the final decision will revert to the Board.

The Chair of the Board should then circulate the tender details, the original estimate and MLC Chief Engineer's review report to all Board members with his/her endorsement for the project to continue.

- 5 The chairman can then either call a formal Board meeting or seek written/email resolution from members. If a majority of the responding Board members (including the chairman) both achieve an effective quorate and pass the resolution proposed by the chairman that they are in agreement that an order can be placed then the works may proceed reliant upon the single tender/quotation or the best value option if there is more than one tender/quote submitted.

Records of all stages shall be retained and made available for audit purposes as evidence that the Board has practiced 'value for money' principles.