

3.4 Subject to Contract Standing Order 6, Contract Standing Order 3.3 shall not apply to the following contracts which, subject to Contract Standing Order 3.5, may be entered into without having first undertaken a compliant tendering process:

3.4.1 Any contract under which the County Council makes a gift of money or other value not requiring goods and/or services.

or

3.4.2 Any contract entered into under a government Central Purchasing Body arrangement (for example, the Government Procurement Service).

Note: Where there is sufficient information contained in the listing under the Central Purchasing Body arrangement so that the Council can clearly identify the provider that represents best value for money, then the Council can enter into a contract directly with that provider; this will usually only relate to the purchase of goods. In all other circumstances, a further competition/mini-tender must be undertaken and advice must be sought from Legal Services and the Procurement Team.

or

3.4.3 Any approved call off contract entered into in full compliance with the terms of any lawfully procured framework agreement under which the County Council is entitled to participate.

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or

3.4.43 Any contract whose total value or total estimated value does not exceed £50,000 **PROVIDED THAT:**

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(a) 3.4.4.1 the contract term does not exceed three (3) years in length; or

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3.4.4.2 (b) independent written evidence of at least 3 prices on suppliers' headed notepaper has been sought and received in accordance with the County Council's Financial Regulations before entering into the contract.

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or

3.4.54 Any Supporting People contract, day care contract, or bus contract for a term exceeding three (3) years but not more than ten (10) years, whose value does

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not exceed £50,000 **PROVIDED THAT** the Commissioning Director: Children & Families; or the Commissioning Director: Adults; or the Commissioning Director: Communities & Infrastructure (as appropriate), after consultation with the Director of Strategic Procurement, has authorised entry into the contract.

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or

3.4.65 Any contract for a term of not more than three (3) years whose total value or total estimated value exceeds £50,000 but is not more than £140,000 **PROVIDED THAT:**

3.4.6.1(a) the case as to why it is in the best interests of the County Council to enter into that contract has been submitted to and approved by the Director of Strategic Procurement using the Gateway Review in the form set out in Appendix A; and

3.4.6.2(b) the Commissioning Director ~~[or Head of Service]~~ after consultation as appropriate with the Leader of the Council or the relevant Cabinet Member has authorised entry into the contract.

or

3.4.76 Any Supporting People contract, day care contract, [or bus contract?] for a term exceeding three (3) years but not more than ten (10) years, whose value exceeds £50,000 but is not more than £140,000 **PROVIDED THAT:**

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3.4.7.1 ~~(a)~~ the case as to why it is in the best interests of the County Council to enter into that contract has been submitted to and approved by the Director of Strategic Procurement using the Gateway Review in the form set out in Appendix A; and

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3.4.7.2 ~~(b)~~ the Commissioning Director: Children & Families, or the Commissioning Director: Adults, or the Commissioning Director: Communities & Infrastructure (as appropriate) after consultation with the relevant Cabinet Member, has authorised entry into the contract.

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or

3.4.87 Any other contract **PROVIDED THAT:**

3.4.8.1 ~~(a)~~ the case as to why it is in the best interests of the County Council to enter into that contract has been submitted to and approved by the Director of Strategic Procurement using the Gateway Review in the form set out in Appendix A; and

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3.4.8.2 ~~(b)~~ the Cabinet, or the Leader of the Council, or the relevant Cabinet Member, has authorised entry into the contract.

Note: *Contract Standing Order 3.4 does not obviate the need for compliance with legislation requiring a tendering process to be followed. The completed authorisation record must be sent to the Council's Director of Strategic Procurement who will retain the record in a register kept for that purpose.*

3.5 A Commissioning Director or other Officer with delegated powers shall not:

3.5.1 enter into separate contracts; or

3.5.1 extend the term of an existing contract where a right or option to so extend is not included in the terms and conditions of that contract;

~~W~~with the intention of or which has the effect of avoiding the application of these Contract Standing Orders or any applicable legislation.

[NOTE: Then delete the existing CSO 3.6]