

- The membership of the Contracts Review Board will be determined by the Chief Executive on the advice of the Director of Finance and Resources.

3.6 Departmental Contracts Boards

- A DCB covers each department or group of departments. The quorum for DCBs is 3 members. DCBs are responsible for recommending to the Chief Officer the award and monitoring performance of all contracts that fall within their respective areas. Specifically DCBs:
 - make recommendations on the award of contracts between £50,001 and £1.5m (£300,000 for consultancy agreements) to the Chief Officer;
 - make recommendations on the award of contracts over £1.5m (£300,000 for consultancy agreements) to Cabinet Members;
 - oversee the contract letting process and provide general advice to Nominated Project Officers on contracting issues;
 - approve contract extensions where the contract value is less than £1.5 million, and has not been awarded by a Cabinet Member;
 - approve contract overspends, where the contract value is less than £1.5 million approval, and has not been awarded by a Cabinet Member;
 - agree waivers to the Procurement and Contracts Code for all contracts below £150,000 in total value except in the signing and sealing of contracts;
 - consider requests to CRB for waivers to the Procurement and Contracts Code for all contracts over £150,000 in total value;
 - consider the Departmental Annual Contracts Monitoring Report for all contracts over £150,000 that were let or were "live" within the previous year;
 - monitor contractual and financial performance of contracts over £50,000 on at least a 6 monthly basis;
 - ensure that contract monitoring guidelines are in place for all term contracts over £150,000;
 - consider exception reports on all contracts where contract performance is poor or where serious issues have been identified and reporting these to CRB as appropriate;
 - consider the first six months performance of a term contract which has been let for the first time or has been re-let with significant changes to general levels of service prior to submission to Cabinet Member;
 - agree on behalf of the Chief Officer claims up to a value of 10 per cent of the total contract sum or up to £5,000 in the case of contracts up to £50,000;
 - consider all claims over 10 per cent of the total contract sum or over £5,000 in the case of contracts up to £50,000 to be referred to the Director of Legal and Administrative Services and Director of Finance (or Service Cabinet Member for settlements over £150,000);
 - agree all variations exceeding 10 per cent of the contract value or £150,000 whichever is the lowest;
 - consider all non budgeted variations to be referred to Cabinet Members;
 - consider all contract related reports from their area that may be submitted to the Cabinet Member, Overview and Scrutiny Committee or to the Audit and Performance Committee or to CRB;
 - ensure that the provisions of the Procurement and Contracts Code are complied with concerning Property and the disposal of land;
 - agree arrangements for maintaining tender confidentiality for all contracts with an estimated value of over £1.5 million and contracts for services managed by an in-house provider or where an in-house provider is submitting a tender;
 - advise the Chief Officer on approving any work to be undertaken for other local authorities or public sector bodies;
 - meet with the CRB and other DCBs as required;

- ensure that any declarations of interest is completed prior to tendering contracts;
- approve the leasing of City Council premises by a contractor in order to deliver the goods, works or service;
- ensure the clearance sheet for reports has been completed; and
- ensure that the CompeteFor system contains a sufficient number of categories and contractors to meet the Department's needs.

3.7 Nominated Project Officer

- Every contract must have a NPO, appointed by the Chief Officer, who is responsible for ensuring that contracts are let following the procedures in this Code. NPOs must comply with the rules set out in Section 2 of this Code and be an employee of the City Council or City West Homes.
- Key responsibilities of the NPO include:
 - ensuring that contracts are let in accordance with the provisions of the Procurement and Contracts Code and reporting to DCB or CRB when serious issues are identified;
 - under authorisation from the Chief Officer, varying a contract by up to 10 per cent of the contract value or £150,000 whichever is the lowest;
 - ensuring that there is sufficient budgetary provision to accommodate the contract expenditure;
 - drawing up or revising specifications so as to ensure compliance with the requirements of the Procurement and Contracts Code;
 - ensuring the contract is signed/sealed and that all permissions, including licences, leases, etc are concluded before the contract commences;
 - ensuring that the conditions of contract included in the contract are appropriate for the purpose;
 - managing the tender evaluation process, so that all tenderers are treated equally;
 - ensuring that clarification meetings (at pre and post tender stage) as may be necessary are conducted fairly and in accordance with procedures set out in the Procurement and Code;
 - ensuring security and confidentiality of the documentation throughout the contract including tender evaluation reports, working papers and minutes of meetings;
 - ensuring that information (including financial information) held on the Contracts Register is fully up to date;
 - arranging for all relevant contract documentation to be returned to the City Council or otherwise passed to a new contractor as appropriate;
 - ensuring that he/she has no conflict of interest; and
 - managing contract hand over.

3.8 Overview and Scrutiny

- Individual Overview and Scrutiny Committees may review the performance of contracts that fall within their portfolio. Overview and Scrutiny members are also sent a copy of the Departmental Annual Contracts Monitoring Report for contracts that fall within their portfolio.