

# **Procurement and COVID 19**

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# Procurement – An Overview

- What is Procurement
  - Procurement is buying the goods, services and works that enable an organisation to operate in an economically sustainable and ethical manner.
- Public Contract Regs 2015
  - Set out a legal framework for the procurement of good and services with a contract value in excess of £189,330 and works with a contract value in excess of £4,733,252
  - For sub-thresholds contracts, Council must comply with principles of transparency, equality etc.
- Contract Procedure Rules
  - Set out the procedures that must be followed when buying goods, services and works to ensure compliance with PCR 2015 and to ensure the Council achieves value for money.
- Waivers
  - Put in place where Council is required to award a contract without following requirements of CPR

# COVID Easements

- At the start of the pandemic Government recognised that Local Authorities needed to put in place contracts urgently and that the PCR 2015 requirement to advertise and conduct full tender processes were inappropriate in an emergency situation.
- The Government issued Procurement Policy Notes (PPN's) to allow easements within the regulations

# Procurement Policy Notes

- PPN 01/20 – to allow direct award due to extreme urgency to respond to COVID-19 consequences
- PPN 02/20 – to enable support suppliers at risk
- PPN 04/20 – building on PPN 02/20
- PPN 01/21 – building on PPN 01/20

# Use of COVID Easements

- Throughout the pandemic, the Council has continued to conduct its procurements in accordance with PCR 2015 and CPR.
- Some limited use of the COVID Easements to facilitate urgency requirements
- All decisions to award contracts using COVID Easements recorded under the Council's emergency planning procedures.

# Use of COVID Easements - Examples

- Provision of 55 short term residential care beds for people discharged from hospital
- Purchase of a stand-alone cremator for Markeaton Crematorium
- Private waste collection services
- Continuing payments to Special Education Needs transport providers

# Compliance during COVID 19 Pandemic

- No evidence of procurement non-compliance during the Pandemic
- 17 waivers raised during the period were Covid-19 related
- All easements have now been withdrawn.
- No amendments required to the CPR at the current time

# Future changes for Procurement

- New thresholds come in to force in January 2022. Goods and services with a contract value in excess of £213,477 and works with a contract value in excess of £5,336,937

For the first time we will have to publish contract values inclusive of VAT

- Publication of the Procurement White Paper  
EU procurement regulations were made UK law following Brexit.

Consultation is currently taking place as to how the regulations will be amended going forward