

HEADLINE

Review the robustness of the procurement of a Manchester based client's framework and make recommendations as to the way forward.

THE CHALLENGE

CWC was appointed to carry out a review to identify if the cost management of the Open Book contracts was compatible with best practice and establish if robust & efficient processes had been put in place to oversee the delivery and manage the commercial aspects of their projects. They were also asked to reveal if the construction partners were providing Value for Money when delivering Decent Homes work.

THE APPROACH

This commission was carried out over a very short duration with the objective of providing a high-level review of the situation with regard to the original procurement and the potential for issuing works after the framework expires. The methodology used to execute this commission was:

- a meeting to define client requirements
- a follow-up call to agree the brief
- submission of initial report based on CWC's understanding of the client's requirements
- a one-day visit to the client to gather data and interview staff
- analysis of data
- collation of findings
- production and presentation of a final report to the client.

OUTCOME

A review was undertaken of the original pre qualification documents, tender documents and supporting evaluation documents; this was then compared to procurement best practice. CWC completed this exercise inspecting considerable documentation and were able to report back their findings promptly.

The second section of the brief was to look at the way forward and the possible continued use of the framework after its expiry in 2010. Under the terms of a framework agreement as defined by the EU Procurement Regulations, call offs can be issued up to the last day of the framework; if work packages are issued under an annual programme, then it is acceptable to do so in the last year of the framework, even if the end of the programme exceeds that of the framework.

VALUE CREATED

Pending legislation may encourage more challenges to procurement exercises; EU Directive 2007/66/EC (the Directive) further strengthens the remedies available to contractors. The Directive must be implemented within the UK during 2009 and further changes to the regulations in December 2009 will make the risk of challenge even greater. CWC were satisfied with the process, documentation and conformity. Lesser recommendations to the client included comments on the archive process, document control and procurement processes. CWC were also able to draw attention to some of the finer points of current EU Procurement Regulations.

THE DELIVERY TEAM

Jonathan Gilmore was responsible for the work.