

PROCUREMENT WAIVERS

Head of Service: Andrew Bircher, Interim Director of Corporate Services

Wards affected: (All Wards);

Urgent Decision?(yes/no) No

If yes, reason urgent decision required:

Summary

To inform the Committee of procurement waivers within their budgetary responsibility.

Recommendation (s)

The Committee is asked to:

(1) Note the waivers highlighted within this report.

1 Reason for Recommendation

- 1.1 A request from Cllr Steven McCormick has been received for the following information:
- 1.1.1 “all procurement items for LPPC currently on the contracts register August 2023”
 - 1.1.2 “items that have a waiver along with the waiver request forms and the waiver log for the items”

2 Background

- 2.1 The way that the Council buys its goods and services is controlled by the Council’s Contract Standing Orders (CSOs). Under these, the requirement for the Council to conduct a competitive procurement process for contracts within Thresholds 1 & 2 of these CSO’s, may be waived in exceptional circumstances and where a demonstrable and justifiable need has been identified on the grounds of urgency.
- 2.2 The thresholds referred to above are:
- 2.2.1 Threshold one – purchases between £0-£24,999
 - 2.2.2 Threshold two - purchases between £25,000 and £213,477

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2.2.3 Threshold three - purchases over £213,477

2.3 The following two officers have the authority to jointly approve a waiver.

1. Head of Policy and Corporate Resources and,
2. Head of Finance.

2.3 A waiver cannot be granted for procurements in threshold 3 as it would contravene the Public Contract Regulations (PCR's) 2015.

2.4 Looking at the contracts register as at August 2023, for items that are relevant to the committee and which are not covered off by the waivers below, there are two ongoing contracts. The first is for Inovem on a rolling contract although with an expiry date of 30/11/2023. This has an annual value of £12,600 and has been procured through a framework agreement. The second item is the arrangement with Elmbridge for the provision of Building control support which has an annual value of £90,000 and is initially a contract for 10 years.

2.5 5 waivers were approved in 2022 and a further 3 in 2023. The waivers have been outlined in the table below.

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Year	Wavier No.	Date	Supplier	Head of Service	Cost (£)	Length	Service	Reason for approval
2022	WVR042	27/01/22	WS Planning & Architecture	Vicki Potts	11,000	5 weeks	100 applications to be determined in approximately 5 weeks	Demonstrable urgency for this work due to the Planning Advisory Letter of 17 January 2022.
	WVR043	17/05/22	GL Hearn	Vicki Potts	39,931	One off	Consultancy services	Sufficient quotes were obtained to demonstrate value for money. The proposed option is the only one within the available budget.
	WVR044	22/06/22	Exacom	Vicki Potts	60,000	2 years	CIL Software	Direct award justified as this is the software being used for managing CIL/section106 across Surrey authorities
	WVR047	01/07/22	idox	Vicki Potts	5,238	One-off	Enterprise Module	This purchase involves purchasing an additional module of an existing IT application with an established and previously fully procured provider (Idox). No other provider would be able to provide a system that integrates with the Idox system as seamlessly as Idox can with the Enterprise module.
	WVR051	07/07/22	Coast to Capital LEP	Vicki Potts	4,000	1 year	Economic Development – Policy Document Support & Advice	The supplier is the only agency who can deliver the work outlined above and realise the benefits of its link with the other work that they already undertake in supporting business growth in the Borough.

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2023	WVR058	21/02/23	Latcham Ltd.	Victoria Potts	21,060	One-off	Transport strategy evidence/technical support	<ul style="list-style-type: none"> The work done is dependent on previous work conducted by the preferred company. Cost benefit of previous work and understanding – better value Tight timescale
	WVR063	14/07/23	Advanced Transport Research	Justin Turvey	30,455	One-off	Car Park utilisation study	<p>Urgency - Need to undertake the car park usage surveys that inform the car park utilisation study prior to Sunday 16th July 2023, to ensure that the surveys are complete prior to the commencement of the school holidays.</p>
	WVR064	06/09/23	WS Planning Architecture	Justin Turvey	35,000	One-off	Planning application support	<p>The supplier have provided a successful service in assisting the council with addressing the backlog in householder applications previously. It is proposed that they provide a further time and case-load limited service to enable the backlog in the non-statutorily reportable planning cases to be addressed.</p> <p>Appointment of an alternative provider for such a short period of time and case limited contract scope, would result in wasted time in training/ inducting and procurement at a time when the Council is faced with the threat of government intervention.</p>

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3 Risk Assessment

Legal or other duties

3.1 Equality Impact Assessment

3.1.1 None were identified.

3.2 Crime & Disorder

3.2.1 None were identified.

3.3 Safeguarding

3.3.1 None were identified.

3.4 Dependencies

3.4.1 None were identified.

3.5 Other

3.5.1 None were identified.

4 Financial Implications

4.1 None directly arising from the contents of this report.

4.2 **Section 151 Officer's comments:** None arising from the contents of this report.

5 Legal Implications

5.1 None directly arising from the contents of this report.

5.2 **Legal Officer's comments:** None arising from the contents of this report.

6 Policies, Plans & Partnerships

6.1 **Council's Key Priorities:** The following Key Priorities are engaged:

- Not applicable to waivers

6.2 **Service Plans:** The matter is not included within the current Service Delivery Plan.

6.3 **Climate & Environmental Impact of recommendations:** None directly arising from the contents of this report.

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6.4 **Sustainability Policy & Community Safety Implications:** Not applicable to waivers.

6.5 **Partnerships:** Not applicable to waivers.

7 Background papers

7.1 The documents referred to in compiling this report are as follows:

Previous reports:

- n/a

Other papers:

- n/a