

**WAIVER OF CONTRACT PROCEDURE RULES**

**Report of the Town Clerk & Corporate Director of Resources, Access & Diversity**

**1 PURPOSE OF THE REPORT**

- 1.1 The purpose of this Report is to advise Cabinet of Waivers to Contract Procedure Rules approved by the Town Clerk, as required by paragraph 4.2(b) of these Rules.

**2 REPORT**

- 2.1 Waivers of Contract Procedures Rules approved by the Town Clerk in the period July 2003 – November 2003 are as follows:

<b>Scheme</b>	<b>Contract Procedure Rule Affected</b>	<b>Reason for Waiver</b>
2.1(a) Highway Maintenance	Para 7.6 and 7.2b - Contract Receipt	The receipt deadline for tenders required clarification, resulting in a 12 hour extension being requested.
2.1(b) Upgrade of ISP line in Computer Suite, B Block	Para 5, 6 and 10 Competition Requirements	The pressing nature of providing the extra capacity meant that normal rules could not, on this occasion, be followed.
2.1(c) Glazing Works to Schools	Para 4.2b and 7.8a Financial Standing of a Tenderer	This waiver ensure that a water tight procedure is in place for the Contract Award.
2.1(d) Replacement Artificial Sports Pitches	Para 7, 8.1 and 10	The urgency of the works – to meet Health and Safety standards – was such that the laid down procedure would have delayed the start of work on site with the associated increased risk.

<b>Scheme</b>	<b>Contract Procedure Rule Affected</b>	<b>Reason for Waiver</b>
2.1 (e) Extension to Beaumont Leys School	6.1(b) 7.3 (b) Competition requirements	Additional funding was offered to create three new teaching spaces (each for 30 students). The previous new build had only just been completed and this work was negotiated with the same contractor.

### **3 RECOMMENDATIONS**

3.1 That the Waivers be noted.

### **4 FINANCIAL AND LEGAL IMPLICATIONS**

#### **4.1 Financial Implications**

There are no direct financial implications arising from this Report.

#### **4.2 Legal Implications**

Contract Procedure Rules may be waived only by the Cabinet or by the Town Clerk after consultation with the relevant Cabinet Member(s) and the decision shall record the extent to which Contract Procedure Rules have been waived and the reasons. The rule goes on to require that the Town Clerk reports such decisions to the Cabinet.

### **5 OTHER IMPLICATIONS**

<b>5.1 Other Implications</b>	<b>Yes/No</b>	<b>Paragraph References within this Report</b>
Equal Opportunities	NO	
Policy	NO	
Sustainable and Environmental	NO	
Crime and Disorder	NO	
Human Rights Act	NO	
Elderly Persons/People on Low Incomes	NO	

**6 BACKGROUND PAPERS – Local Government Act 1972**

Individual Waivers provided by relevant Departments

**7 CONSULTATION**

Legal Services and contributing Departments

**8 REPORT AUTHOR/OFFICER TO CONTACT**

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**DECISION STATUS**

<b>Key Decision</b>	<b>No</b>
<b>Reason</b>	<b>N/A</b>
<b>Appeared in Forward Plan</b>	<b>N/A</b>
<b>Executive or Council Decision</b>	<b>Cabinet</b>