



Leicester
City Council

WARDS AFFECTED
All Wards

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:

PERFORMANCE AND VALUE FOR MONEY SELECT COMMITTEE CABINET	20 JANUARY 2010
	25 JANUARY 2010

CONTRACT PROCEDURE RULES WAIVERS

REPORT OF THE CHIEF FINANCE OFFICER

1 PURPOSE OF REPORT

For information only; this is a regular report to provide Cabinet with a summary of Contract Procedure Rule waivers.

2 REPORT

2.1 Contract Procedure Rules include a provision which enables the rules to be waived by the Monitoring Officer or (in the case of small contracts) by Divisional Directors where a business case can be shown for doing so, subject to there first being prior consultation with the relevant Cabinet Lead where the decision in question involves significant changes in policy or strategy, or the circumstances otherwise warrant this.

2.2 This is subject to a subsequent Report to Cabinet and Select Committee.

3 RECOMMENDATIONS

Cabinet is recommended to note the summary of Contract Procedure Rule waivers summarised in **Appendix A**.

4 HEADLINE FINANCIAL AND LEGAL IMPLICATIONS

4.1 Financial Implications

There are none arising from this report.

4.2 Legal implications

It is within Cabinet's remit to keep under review and change its Scheme of Delegation as necessary.

OTHER IMPLICATIONS	YES/NO	Paragraph references within supporting information
Equal Opportunities	No	
Policy	No	
Sustainable and Environmental	No	
Crime and Disorder	No	
Human Rights Act	No	
Elderly/People on Low Income	No	

5 BACKGROUND PAPERS – LOCAL GOVERNMENT ACT 1972

The Council's Constitution, including Cabinet's Scheme of Delegation and records received by the Monitoring Officer from Corporate Directors which have been used to compile this Report.

6 CONSULTATIONS

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7 REPORT AUTHOR

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Key Decision	No
Reason	N/A
Appeared in Forward Plan	N/A
Executive or Council Decision	Executive (Cabinet)

**WAIVERS OF CONTRACT PROCEDURE RULES APPROVED BY THE MONITORING OFFICER DURING THE PERIOD
1 APRIL 2009 TO 30 SEPTEMBER 2009**

Nº	Date	Scheme	Contract Procedure Rule Affected	Reason for Waiver
1	01/04/2009	Project management of the Leicester City Strategy Programme	Section 2, Rule 7.1	Current administration arrangements are under review. The Applicant is proposing to bring the service in-house and this extension was required in the interim period. Additionally, it is highly unlikely that another service provider would want to tender for a short contract with a potential TUPE transfer.
2	09/04/2009	Temporary management of the Braunstone Grove Young People's Centre	Section 3, Rule 2	The full time worker is currently on a secondment. For the service to continue it was imperative that staff with the knowledge and understanding of the young people using the service was recruited. An external organisation with the necessary experience was selected.
3	09/04/2009	Employment opportunities for people with disabilities	Section 2, Rules 5 and 10 – 12	This is a ValueAbility contract (Employment opportunities for people with disabilities). This Waiver is to enable an evaluation of the activity to take place prior to an EU compliant tendering exercise.
4	09/04/2009	Offenders – Set Square	Section 2, Rules 5 and 10 – 12	This is the Leicestershire & Rutland Probation Trust contract. This Waiver is to enable an evaluation of the activity to take place prior to an EU compliant tendering exercise.
5	09/04/2009	Safer and Stronger Communities DAAT funded initiatives 2009/2010	Section 2, 4 & 5	This is the Drugs & Alcohol Action Team (DAAT) contract. This Waiver is for an interim period to allow a formal procurement exercise to be completed this year. It is considered highly unlikely that another service provider would want to tender for a short-term contract.
6	09/04/2009	Grant Aid contracts	Section 2	This Waiver related to the reprovision of grant aid services with the voluntary sector. A tendering exercises was undertaken but due to some slight delay was not possible to award in time, therefore extensions to the current contract was sought.
7	16/04/2009	Culturally specific refuge provision for women at risk of domestic violence.	Section 2, Rule 4.	This Waiver is to extend existing contracts 3 months to complete a procurement process following an extra period of clarification, This extension formed part of the risk management process to ensure the transfer does not adversely affect services to vulnerable client groups.

Nº	Date	Scheme	Contract Procedure Rule Affected	Reason for Waiver
8	16/04/2009	Funding for holiday activities for 11 – 25 year olds.	Section 2, Rule 4	Due to time constraints, this Waiver allowed the interim provision of activities during the holiday periods. This extension would allow the development of a strategy for holiday funding similar to the Early Prevention strategy for playschemes in the coming months.
9	23/04/2009	Exit ticket barrier system at Enderby Park & Ride site.	Section 2, Rule 4	The Waiver was sought as there were only five contractors on the ESPO framework but no provision in the award for a mini competition or call off. As it was a large contract, it was deemed necessary to invite all five to tender.
10	15/05/2009	Domestic Violence Integrated Response Project (DVIRP)	Section 2, Rule 4.1	This project provides support for victims of domestic violence and is a new service. The City Council has agreed to fund the IDVA service till 2011 and this Waiver was to seek an extension to the current DVIRP contract for 5 months, during which time, work would be undertaken to commission the service.
11	26/05/2009	Safeguarding in Madrassas Project	Section 4 (d)	This project consists of developing safeguarding services within the Muslim community's complementary schools system (madrassas). A Waiver for a one-year's extension was required to continue vital and necessary work whilst further work is undertaken to determine future requirements.
12	05/06/2009	Special Olympics 2009 – Provision of accommodation, meals and rooms for social events.	Section 2, Rules 5, 9, 10 and 12.	The Council were asked by the Special Olympics board to procure the required services. Due to the tight timescale and urgency (and the imminence of the Games), a Waiver was sought to ensure that the services were sourced and provided on time.
13	20/05/2009	Youth Crime Family Intervention Project	Section 2, Rules 4 & 7	This Waiver approved an extension to the contract with an organisation for a further 3 months to ensure that there is no break in service delivery and that families currently being supported, are continued to be supported during the transition to a new supplier.
14	01/09/2009	"Involve" Tier 1 and Tier 2 Drug and Alcohol Training	Section 2, Rule 4	This Waiver is to seek an extension to the current training programme whilst the process of LLR DAAT (Drugs & Alcohol Action Team) disaggregation takes place and a review of training is undertaken.
15	10/09/2009	Engagement of a Retailer Engagement Development Manager	Section 2, Rule 7.1	LCC had EMDA funding for a Retailer Engagement Development Manager from January 2009 to March end 2011. A Waiver was required to cover a sub-contract that mirrors the main contract period for January 2009 to December end 2009. It is highly unlikely that another service provider would want to tender for a contract with a short timeframe.

Nº	Date	Scheme	Contract Procedure Rule Affected	Reason for Waiver
16	09/09/2009	Routeways co-ordination work	Section 2, Rules 7.1	This Waiver was required to cover a brief contract period of 3 months whilst a tendering exercise is undertaken.
17	30/09/2009	Supply and installation of UPVC doors and frames	Section 8, Rules 1.1.2	The Waiver was sought to cover a 9 months period to allow for a tendering exercise to commence and conclude. This contract would be running to supplement our own internal contractor (DSO).