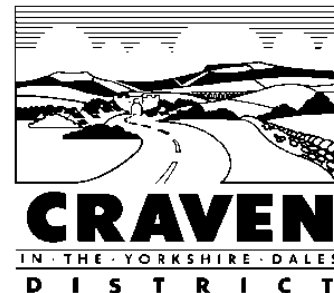


Audit Committee – 22 March 2021**Exemptions from the Contract Procedure Rules Quarter 3 and Quarter 4 2020/21****Report of the Chief Finance Officer****Lead Member – Councillor Patrick Mulligan, Financial Resilience**

Ward(s) affected: All

1. Purpose of Report

- 1.1 To report on exemptions granted from the Contract Procedure Rules in Quarter 3 and Quarter 4 2020/21.

2. Recommendations – Members are recommended to:

- 2.1 Note the 3 exemptions granted from the Council's Contract Procedure Rules.

3. Report

- 3.1 An exemption from the Contract Procedure Rules was granted for a contract of increased value to Bruynzeel Storage Solutions, for the Craven Museum Fit-out.

- 3.1.1 The package for the fit-out of museum storage was awarded to Bruynzeel Ltd, an industry leader in this work. Their initial quote was particularly competitive and following the contract award we initially negotiated to include some additional options that improved accessibility and storage capacity for the store, whilst remaining within the 10% variation of contract value allowed for within our Contract Procedure Rules.

We unfortunately subsequently noticed that one requirement, for an additional pull-out shelving unit, was not included in the initial specification. We asked Bruynzeel Ltd to quote for this additional unit. The cost of providing this unit was £464. The total cost of this contract would be £37,964, 10.5% over the originally quoted contract value.

An exemption was granted for this variation to the original contract (even though marginally above the 10% threshold for variation) to allow for this essential additional work.

3.2 An exemption from the Contract Procedure Rules was granted for a contract to LDN Architects Ltd, for architectural works for improvements to the Town Hall frontage.

3.2.2 Town Hall frontage improvements were planned for 2021/22 financial year when the existing redevelopment project was due to be completed in 2020. As we have faced delays with the main project in 2020, the building is now due to reopen in line with government guidance, spring 2021.

An exemption was granted to move forward with using LDN architects to put together procurement documents, apply for LBC, and oversee the works, as:

- They are heritage specialist architects, which is a stipulation of the match funder (Historic England)
- The works are part of a serial programme of work to redevelop Skipton Town Hall, for which LDN have provided architectural services throughout
- We need to progress the works as a matter of urgency and LDN have all relevant information about the building required to do this

The services described offer good value; we have sought a comparable quote which demonstrates this, but a different provider of services would add an additional 5 weeks to the pre-procurement timetable, which wouldn't work for us in this situation

3.3 An exemption was granted for a new 1-year contract to RICOH UK Products Ltd, for the lease provision of Multi Function Devices.

3.3.1 Our contract with RICOH UK Products Ltd, for the lease provision of Multi-Function Devices (MFDs) is due to expire at the end of April 2021. This was originally purchased from the Crescent Purchasing Consortium framework for the provision of Multi-Function Devices and Printers.

An exemption to the Contract Procedure Rules was granted to offer a new contract to the current provide for a period of 1 year, to continue our current service provision during a time of some uncertainty. To procure a new service at this point would require us to produce a specification of requirements, and we are currently unclear about likely MFD usage during and after the pandemic response period, as well as future requirements introduced by the Local Government Reorganisation.

To ensure continuing value for money and minimum disruption at this time an exemption for a new 1-year contract was granted to cover this interim period.

4. Financial and Value for Money Implications

- 4.1 Financial and Value for Money implications are assessed on a case-by-case basis by the Chief Finance Officer as exemption requests are submitted.

5. Legal Implications

- 5.1 Legal implications are assessed on a case-by-case basis by the Solicitor to the Council as exemption requests are submitted.

6. Contribution to Council Priorities

- 6.1 The effective implementation of procurement policy contributes to the Council priority 'Financial Resilience'

6.2 Impact on the declared Climate Emergency

No impact on the declared Climate Emergency from exemptions granted.

7. Risk Management

- 7.1 No Risk Management implications

7.2 Chief Finance Officer (s151 Officer) Statement

The exemptions are justified in the circumstances noted.

7.3 Monitoring Officer Statement

The exemptions are justified in the circumstances noted.

8. Equality Impact Analysis

- 8.1 The Council's Equality Impact Assessment Procedure has been followed. An Equality Impact Assessment has not been completed on the proposals as completion of Stage 1- Initial Screening of the Procedure identified that the proposed policy, strategy, procedure or function does not have the potential to cause negative impact or discriminate against different groups in the community based on •age • disability •gender • race/ethnicity • religion or religious belief (faith) •sexual orientation, or • rural isolation.

9. Consultations with Others

- 9.1 None

10. Background Documents

- 10.1 None

11. Appendices

- None

12. Author of the Report

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Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.