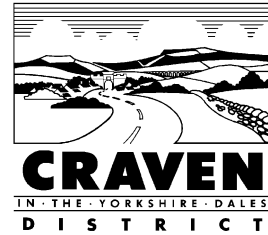


Audit and Governance Committee.
12th January 2015

Exemptions Granted under Contract Procedure Rules



Report of the Strategic Manager Financial Services

Ward(s) affected: All

1.0 Purpose of Report – To report on the exemptions granted from the Council's Contract Procedure Rules from July to December 2014

2.0 Recommendations –

2.1 Members are requested to note the exemptions granted from the Council's Contract Procedure Rules

3. The Report

3.1 Under the Contract Procedure Rules it is recognised that under certain circumstances there are occasions when it appropriate not to seek tenders or quotations provided that an alternative method of selection can demonstrate value for money. On other occasions quotations are sought but insufficient responses are received.

3.2 Under the contract Procedure Rules there are 6 named circumstances under which a responsible officer may seek exemption from the normal procedures as follows

- 6.3 (a) *that only one provider is able to carry out the work or service or to supply the goods for technical or artistic reasons or because of exclusive or proprietary rights.*
- 6.3 (b) *that time limits required for tendering cannot be met for reasons of extreme urgency and which (in EU cases) were unforeseen and not attributable to the Council.*
- 6.3 (c) *that additional goods, works or services are required which, through unforeseen circumstances, were not included in the original contract and which are either strictly necessary for the completion of the contract or for technical or economic reasons, cannot be carried out separately without great inconvenience/additional costs.*
- 6.3 (d) *that goods are required as a partial replacement for or in addition to existing goods or installations and obtaining them from another provider would result in incompatibility or disproportionate technical difficulties in operation or maintenance.*

- 6.3 (e) that despite seeking the relevant number of quotations, insufficient quotations have been obtained.
 - 6.3 (f) that due to the nature of the goods/service a change of supplier would cause disproportionate technical difficulties, diseconomy, significant disruption to the delivery of council service.
- 3.3 The responsible officer seeking an exemption must obtain the prior approval of the Strategic Manager Legal and Democratic Services and the Chief Financial Officer. The exemptions granted must then be reported to Audit & Governance Committee.
- 3.4 In the six month period July – December 2014 there have been 5 exemptions granted. A summary of the exemptions can be found at Appendix A and Members are requested to note these.
4. **Financial Implications** – There are no financial implications associated with this report.
5. **Legal Implications** – None.
6. **Contribution to Corporate Priorities** –
- Risk Management contributes to all our Corporate Priorities by identifying hazards and ensuring adequate controls are in place to help ensure corporate priorities are achieved.
7. **Risk Management** – There are no risks arising as a direct result of this report.
8. **Consultations with Others** none
9. **Access to Information: Background Documents** – Exemption reports
10. **Author of the Report** – Carol Lee
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Appendix A – Summary of exemptions granted under CPR 6.3