

Report sponsor: Director of Legal, Procurement  
and Democratic Services  
Report author: Head of Procurement and  
Contracting

## **Contract Waivers for the period 1 October 2021 to 31 December 2021**

### **Purpose**

- 1.1 To bring to the attention of the Audit and Governance Committee approved waivers in line with Contract Procedure Rules.

### **Recommendation**

- 2.1 That the Committee note the contents of the report and the quarterly comparison of the total number of waivers being reported.

### **Reason**

- 3.1 The information is for reporting purposes only; no decision is required by the committee.

### **Supporting information**

- 4.1 There are a total of 27 waivers within this report covering the above period and broken down by directorate below:-

Directorate	Number of Waivers	Classification	
		Unavoidable	Avoidable
Communities & Place	2	1	1
Corporate Resources	3	2	1
Peoples Services	22	16	6
<b>Total Number of Waivers</b>	27	19	8

As the table shows, of the 27 waivers, 19 were considered to be unavoidable.

This compares with 129 waivers that were considered by Audit and Governance Committee on 3 November 2021 for the period 1 January 2021 to 30 September 2021. Of that 129, 101 were considered to be unavoidable.

- 4.2 All avoidable waivers over £10,000 are reported at appendix 1. Each waiver is signed off by the relevant Director stating they agree with the recommendation.
- 4.3 A waiver is required if the relevant process outlined in the Council's Contract Procedure Rules for awarding a contract cannot be followed.
- 4.4 Of the unavoidable waivers, 1 was unavoidable due to Covid-19 relating to Staffing for the testing centre.

4.5 Quarterly Comparison

Quarter	Jan-Mar 2021	Apr-Jun 2021	Jul-Sep 2021	Oct-Dec 2021
<b>Avoidable</b>	8	15	5	8
<b>Unavoidable</b>	37	21	43	19
<b>Total</b>	45	36	48	27

## Public/stakeholder engagement

- 5.1 Not applicable to this report

## Other options

- 6.1 Not applicable to this report

## Financial and value for money issues

- 7.1 There are no financial implications from this report.

## Legal implications

- 8.1 There are no legal implications from this report.

## Climate implications

- 9.1 There are no climate implications from this report.

## Other significant implications

- 10.1 Not applicable to this report

This report has been approved by the following people:

Role	Name	Date of sign-off
Legal Finance Service Director(s) Report sponsor Other(s)	Emily Feenan	14/03/2022

Background papers: List of appendices: Appendix 1	Avoidable waiver details
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## Appendix 1 – avoidable waivers

Directorate	Brief details of request	Value	Waiver End Date	Date Submitted	Ref
Communities & Place	DragonGate consultants were commissioned in May 2021 to provide Derby City Council with a shortlist and proactive strategy for engaging with the government's civil service relocation programme. Further work is now required to refine the initial proposal into a bid and develop a communications plan to engage with government stakeholders.	£39,550.00	31/05/2022	18/11/2021	W21-026b
Corporate Resources	The contract concerns the provision of planned and reactive maintenance services for the Longbridge Hydroelectric Power plant and equipment. The service is currently supplied by Derwent Hydroelectric Power Ltd, who have been providing this service to the Council since they were involved in the design of the Plant's construction in 2012. They were appointed in 2017 through an open tender and the current agreement comes to an end in January 2022 with no further extensions available. There is an underspend on the total contract value of £75,000, with only £59,500 being spent over the 5 years leaving a total of £15,500 still unspent, which would offer ample capacity for planned maintenance over the two year period. However, depending on reactive spend, additional capacity may be required.	£40,000.00	11/01/2024	16/12/2021	W21-123
Peoples Services	To utilise a DfE grant as part of the Early Outcomes Fund programme. The grant needs to be spent by 31st March 2022 and due to delays in receiving the monies, it was not possible to initiate procurement prior to July 2021.	£32,364.00	02/05/2022	11/10/2021	W21-107
Peoples Services	The current Best Interest Advisor waiver expires 31st December 2021. Service provision is still required for a period of six months from the existing providers in order to give time to procure a new framework.	£70,000.00	30/06/2022	10/12/2021	W21-119
Peoples Services	Off Framework Supervised Contact supervisors	£20,000.00	31/03/2022	23/12/2021	W21-122
Peoples Services	Direct award is required due to the short timescales to utilise the funding and procure meaningful and worthwhile review of youth voice services currently available in Derby	£30,000.00	31/08/2022	14/12/2021	W21-124

	and creating a network of 10 hubs across the city.				
Peoples Services	Secondary Resource Zone for Careers and Skills building on the development of the START platform, which was a key part of the Year 4 Careers and Skills project.	£12,375.00	31/08/2022	07/12/2021	W21-125
Peoples Services	Rough Sleeper Drug and Alcohol Treatment Grant – Management and Coordination	£100,000.00	31/03/2023	01/12/2021	W21-126