

POLICY AND RESOURCES COMMITTEE - 22 JULY 2019

PART I - DELEGATED

8. EXEMPTION FROM PROCUREMENT PROCEDURE RULES – WATERSMEET CINEMA SCREEN REPLACEMENT (DCES)

Summary

- 1.1 To advise Members that an exemption to the Procurement process was approved by the Director of Community and Environmental Services under the Exceptional Circumstances exemption as permitted by the Council's Constitution.

Details

- 2.1 An exemption may be considered by the Chief Executive or a Director in exceptional circumstances. This applies in the case of the replacement screen at Watersmeet.
- 2.2 Once approved, a report to the Policy and Resources Committee must detail the actions taken. This report is for information only to comply with the requirements of the Constitution.
- 2.3 The exemption was given to award the contract after two unsuccessful open tender opportunities, one from 16 April – 13 May 2019 and the second 28 May – 11 June 2019.
- 2.4 Eleven organisations looked at the opportunity, however no bids were submitted.
- 2.5 Several companies were contacted directly but only one responded and it has provided a quote within budget.
- 2.6 We have found there to be a very limited market for the type and scale of works.
- 2.7 There is a short window of time the works can be carried out due to the programme of events and hires at Watersmeet, and the proposed contractor who have provided a quote have the necessary knowledge and experience to complete the works.
- 2.8 Having been through the process it is not considered that an additional tender exercise would produce a different or better outcome, and would risk the works not being completed in the available timeframe.
- 2.9 The quotation received comes within budget for the works.

3. Options and Reasons for Recommendations

- 3.1 The Constitution requires that a report is taken to the Policy and Resources Committee on the action taken in the event that an exemption to the procurement process is approved by the Chief Executive or a Director. This exemption is based upon the "Limited Market" exemption set out in the Contracts Procedures Rules, evidence being that set out at 2.3 to 2.8 above.

4. Policy/Budget Reference and Implications

4.1 The recommendations in this report are set out in Part 4 of the Council's Constitution.

5. Financial

5.1 None specific as purchase can now be made within existing budgets.

6. Legal, Equal Opportunities, Staffing, Environmental, Community Safety, Public Health, Customer Services Centre, Communications & Website, Risk Management and Health & Safety Implications

6.1 None Specific.

7. Recommendation

7.1 That the Policy and Resources Committee note the action taken.

Report prepared by: Josh Sills – Watersmeet Venue Manager

Data Quality

Data sources: not applicable

Background Papers

The Council's Constitution: Part 4 – Contracts Procedure Rules

APPENDICES / ATTACHMENTS

None