

Waiver Form

IMPORTANT NOTICE TO OFFICERS

It is the responsibility of the Officer completing this form to ensure it complies with the Contract Procedure Rules (CPR) and any related instructions or guidance contained.

This process should be completed BEFORE a supplier is formally engaged.

Please complete all sections in full.

INFORMATION

In accordance with CPR, section 17.1 (For requirements up to £100,000 for goods and services and £250,000 for works);

In exceptional circumstances and considering all the information available an accountable Executive Director may decide that it is justified to invite less than three quotations in a particular instance or type of transaction.

and 18.1 (contracts above £100,000 for goods and services and £250,000 for works);

For contracts above £100,000 for goods and services and 250,000 for works and not covered by the Regulations (Rule 19 below), if the relevant Executive Director is satisfied that an exception to competition is required due to reasons as set out in Rule 18.4 below, Rules 14.9 to 14.15 shall not apply, subject to obtaining the necessary approvals.

Following approval of the waiver all documentation associated with the procurement or award of a contract must be progressed. This will include;

- Specification
- Form of Contract
- Relevant approvals to spend.

Please seek advice from the Information Governance team as to whether a Data Protection Impact Assessment (DPIA) is required in relation to the delivery of this contract.

Please seek advice from the Equalities team as to whether an Equalities Impact Assessment (EIA) is required in relation to the delivery of this contract.

The Procuring Officer should ensure prior to the commencement of a waiver process they have estimated the contract value and obtained approval for the required budget.

In accordance with the CPR,

Value for Money/Best Value should be sought in all circumstances where the Council is procuring and contracting goods, services or works.

This is defined as; the best mix of quality and effectiveness for the least outlay over the period of use of the goods/ services bought. It is not about minimising initial purchase costs, but 'four Es' – economy, efficiency, effectiveness and equity:

- economy – minimising the cost of resources for an activity ('doing things at a low price')*
- efficiency – performing tasks with reasonable effort ('doing things the right way')*
- effectiveness – the extent to which objectives are met ('doing the right things').*
- equity - This reflects the extent to which services are available to, and reach, the people they are intended for, and whether the benefits from the services are distributed fairly.*

Further information on calculating estimated contract values is included in the Contract Value Estimate Guidance available on the [Procurement Intranet Site](#)

All procurement activity is subject to review by the Strategic Purchasing, Procurement and Contract Management Team and periodically by the Corporate Assurance Team. It is the responsibility of the Officer completing the Form to keep this record for Audit purposes.

Text highlighted in Blue is instructions to the Officer completing the form and should be deleted from the final document.

Text highlighted in Yellow is sections which need to be completed by the Officer. Highlighting and background text should be removed from the final document

DIRECTORATE	[INSERT]
SERVICE	[INSERT]
CONTRACT OWNER/MANAGER	[INSERT]

SECTION 1: CONTRACT DETAILS	
Contract title	[INSERT TITLE]
Type of supply	Choose an item.
Contract start date	Click here to enter a date.
Contract end date	Click here to enter a date.
Spend type	One off/ recurring
Possible extensions (<i>if applicable</i>)	#
Estimated total contract value (Excluding VAT):	£

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Budget which will pay for this	
VAT Rate	20.00% / 12.50% / 5.00% / 0.00% / Exempt
Is this construction related works (CIS)	

SECTION 2: SUPPLIER DETAILS	
Supplier Name	[INSERT]
Address	[INSERT]
Telephone	[INSERT]
Email	[INSERT]
Vendor Number	[INSERT]

SECTION 3 : JUSTIFICATION FOR WAIVER (Please provide as much information as possible - remember this information is subject to audit/review and you are the accountable Officer)	
Exception Rule	Choose an item.
Do the Regulations apply	Yes/No
If Yes what justification is being used	Regulation 32, Regulation 72 with detail of specific clause
Background to requirement (e.g. reference to business case / contract / need etc.)	
Reason for Direct Award (e.g. Compatible with existing equipment/available from only one supplier / no other equipment meets specification requirement etc.)	
Evidence of supporting reason (e.g. Market Testing undertaken / first price not accepted etc.)	
Implications if the waiver isn't approved; e.g. Unable to use external funds in timescales, unable to provide statutory services.)	
If recurring, please outline future procurement and commissioning process: e.g. Procurement to be undertaken in new FY to consolidate contracts etc.)	
If exception rule is 'strategic/tactical' confirm response from Procurement Team; (Discussed with Procurement, added to forward plan of procurements etc.)	

Evidence of Value for Money being secured; (e.g. Benchmarked against market rates.)

SECTION 5: APPROVALS

I confirm to the best of my knowledge all information contained above is accurate and that subject to approval of the waiver will progress all required documentation to in line with CPR requirements.

I hereby confirm that, to the best of my knowledge, this procurement is commercially reasonable and delivers best value.

NAME	[INSERT]
JOB TITLE	[INSERT]
SIGNED	[INSERT]
DATE	Click here to enter a date.

SERVICE DIRECTOR

NAME	[INSERT]
JOB TITLE	[INSERT]
SIGNED	[INSERT]
DATE	Click here to enter a date.

EXECUTIVE DIRECTOR

NAME	[INSERT]
JOB TITLE	[INSERT]
SIGNED	[INSERT]
DATE	Click here to enter a date.

FOR ABOVE £100,000 FOR GOODS AND SERVICES AND ABOVE £250,000 FOR WORKS

SERVICE DIRECTOR – LAW AND GOVERNANCE

NAME	[INSERT]
JOB TITLE	[INSERT]
SIGNED	[INSERT]
DATE	Click here to enter a date.

DIRECTOR OF FINANCE – S151 OFFICER	
NAME	[INSERT]
JOB TITLE	[INSERT]
SIGNED	[INSERT]
DATE	Click here to enter a date.

Please email completed forms to procurement@barnsley.gov.uk

Further guidance and support should be obtained from Strategic Purchasing, Procurement & Contract Management (procurement@barnsley.gov.uk)