



RECORD OF DELEGATED DECISION

Contract Exemption Form

This form is used to record officer decisions. The constitution details who can take delegated decisions.

The Officer must obtain a fully approved exemption in advance of awarding a contract, and must ensure that the actual spend does not exceed the total value stated in the approved exemption.

1. Name & Title of Officer: (who is taking the Decision)	Nick Sach Revenue and Benefits Manager
2. Decision Reference No.	CEX098
3. Contract Title / Subject Matter:	Annual Billing Print Contract
4. Contract Type:	<input type="checkbox"/> Goods <input checked="" type="checkbox"/> Services <input type="checkbox"/> Works
5. Key Decision	No
6. Type of Decision:	Public
7. Decision Taken:	
<ol style="list-style-type: none"> 1. Authority to use a Contract Exemption as detailed below; 2. Authority to award the contract to CFH docmail Ltd for annual billing for the period 2021/22; 3. Authority to enter into any necessary agreements with the Contractor. 	

8. Contract Details:

Service area	Revenues & Benefits
Short contract description	Annual Billing Print contract
Length of Exemption (months)	13 months
Exemption start date	20 February 2020
Exemption end date	20 March 2021
Total exemption value (£)*	Circa £13,000 (depending on final billing numbers when data is provided to CFH docmail Ltd)
Cumulative value of all previous Exemption requests (if applicable)	NA – no previous exemption has been sought

* Where the total value of the contract is £5,000 or more, the resultant contract must be added to the Contract Register to ensure compliance with Transparency Regulations.

An award notice is required on Contracts Finder for all Contracts with a total value of £25,000 or above. Welland Procurement is responsible for such award notices. Officers must formally advise Welland Procurement of the award details, so that they can publish the award notice.

9. Exemption Details:

Type of Exemption:	<input checked="" type="checkbox"/> New Requirement <input type="checkbox"/> Change to Existing Requirement <input type="checkbox"/> Replacement to Existing Requirement <input type="checkbox"/> Other
Which rule are you seeking an exemption from?	<input checked="" type="checkbox"/> To advertise <input checked="" type="checkbox"/> To follow a competitive process
Name of Proposed Provider:	CFH Docmail Ltd
Has the requirement been subject to a previous Exemption?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes [If yes give details below]
Applicable Exemption:	<input type="checkbox"/> (1) No genuine competition: proprietary or patented goods or services; requirement of such a specialist nature that it can genuinely only be fulfilled by one person or organisation; compatibility with existing goods or services is required and where

		those existing goods or services can only be sourced from the same supplier.
<i>If the justification being relied upon is as detailed in here, the relevant Service Director will need to approve the exemption prior to it being submitted to the Director for Corporate Resources and the Director of Governance and Regulatory Services for approval.</i>	<input type="checkbox"/>	(2) There is a sound business case and/or an independent review that there is no value for money in running a full procurement process. Supporting evidence will need to demonstrate market testing and enquiries to other suppliers. This should not be used to avoid competition or where decisions to procure have been postponed and there are insufficient timelines to procure.
	<input type="checkbox"/>	(3) Genuine emergencies: critical preventative or remedial work where there is a real and imminent risk to the safety of people or property arising from hitherto unforeseen 'catastrophic' events or incidents, for example fire, bombing, landslide etc.
	<input checked="" type="checkbox"/>	(4) Urgent Situations not of the Council's own making: the urgency must have been reasonably unforeseeable (e.g. existing supplier going into liquidation) and genuinely be a case of time is of the essence. Urgency arising from the Council's own making (e.g. lack of planning) shall not justify an exemption. Where this exemption is used, a compliant procurement must be implemented as soon as possible.
	<input type="checkbox"/>	(5) Collaborative/Joint Procurement: where another authority/public body is acting as the 'lead buyer' and provided that the Officer can demonstrate those arrangements comply with relevant Regulations and best practice.
	<input type="checkbox"/>	(6) Grants which the Council may receive or make: except where the grant is the form of payment for a contract for services where the Council specifies the output or outcomes to be delivered. The awarding of grants by the Council or on behalf of the Council must be carried out under the principles of openness, fairness, non-discrimination and value for money. Officers cannot choose to treat procurement as a grant in order to avoid conducting a competitive process.
	<input type="checkbox"/>	(7) Contracts for the execution of either mandatory works or provision of goods or services which must be provided by

		Statutory Provider other than the Council. This includes but is not limited to public utility companies and other legal authorities.
Details of benchmarking or market testing carried out		The Council is seeking an exemption to allow for a procurement process to take place in the coming year. Due to the current COVID pandemic, there have not been the staff resources to procure during the 2020/2021 financial year.
How will value for money be secured?		The price quoted is in line with previous years. The number of bills across both Council tax & Business rates has not increased significantly. So the quote provided reflects value for money.

10. Reasons for Decision:

The intention was for a full procurement exercise to take place for the Annual Billing print contract and look at a multi year award. However given the unforeseen circumstances with COVID19 and the increase in work load as a result resources had to be redirected to other key priorities within the service. Meaning that the resources were not available to carry out the full procurement exercise referenced above.

There have been a number of high profile schemes within Revenues & Benefits that have required a significant amount of time and resource. These include but are not limited to the Business Grants scheme, Test and Trace Support Payments and the COVID19 hardship fund. Annual Billing is a time critical process which required a print and postage solution in place for the successful billing of both Council Tax & Business rates.

A contract will be signed to cover the Annual billing process for 2021/22. This is following the contract for the Annual billing process 2020/21 coming to and end. It is also worth noting that this is purely to cover annual billing requirements. No services are provided by CFH docmail Ltd outside of annual billing.

11. Authority / Legal Power:

See legal comments

12. Background Papers attached?

(Background papers are to be

None

attached (unless exempt))

13. Alternative options available / rejected:

1. Format and Print the bills internally – However there would be a significant amount of resource required from a number of teams across the authority. With the volumes of documents that are required to be formatted printed and posted this would be extremely resource intensive.

14. Implications:

(Please ask the respective professional officers ((a) Legal, (b) Finance and (c) Human Resources) for their assessment of the potential implications of this decision. You should also consult any other relevant officers if you think the decision will have an impact on their areas of responsibility.)

Legal	<p>The Council has the power to enter into contracts in order discharge its functions (Local Government Act 1972, s111 and the Local Government (contract) Act 1997, s1).</p> <p>The Local Government Act 1972 requires the Council to have regulations for how it enters into contracts. In addition to complying with all relevant UK and EU legislation every contract entered into on behalf of the Council must also comply with the Council's Contract Procedure Rules and the Council's Financial Regulations. The Contract Procedure Rules provide exemptions but the exemptions listed do not apply to procurements valued above the relevant EU Threshold.</p> <p>Exemptions must be approved by the Director for Corporate Services and the Monitoring Officer and are subject to one of more of the criteria being fulfilled.</p>
Finance	<p>There is adequate budget provision to cover the cost of printing the annual bills.</p>
HR	<p>N/A</p>

15. Signature of relevant Service Director:
Where justification (2) is

Not applicable for this exemption

being relied upon, the relevant Service Director will need to approve the exemption prior to it being submitted for further approval	
16. Signature of Decision Maker: Please do not 'pp' for a Senior Officer	Approval by email Dawn Garton Director for Corporate Services
17. In Consultation with:	Approval by email Kieran Stockley Assistant Director for Governance and Democracy
18. Date:	9 February 2021

Please send all decision for publication to: Democratic Services at democracy@melton.gov.uk .

19. Decision Reference No.:	
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20. Exempt or Confidential Background Information:

(Use this section to include any exempt or confidential information that should not be published or placed on the Council's website but is needed to support the decision. The information in this section will only be shared within the Authority as appropriate.)

For further support or guidance please contact Natasha Taylor – Democratic Services Manager or Democratic Services at democracy@melton.gov.uk.