

Procurement Process Waiver Form

Annex A to the Procurement Waiver Policy
To be completed with reference to the Policy document

Reference Number <i>For procurement Use Only</i>	W2019-005
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Section 1 – Statement of Need (to be completed by the Requestor)

1.1	Centre.	MHRA / CPRD / NIBSC / CORP
1.2	Division and Department	Operations/Maintenance
1.3	Description of requirement	<p>Contractor to provide support and building services at NIBSC during this period of austerity with no capital money being released during the accommodation strategy and no Head of Operations has been in post. We require the contractor to provide small works services for the continuous upkeep of our ageing buildings. The ability to call upon them in an emergency for repairs i.e roof leaks, H & S, electrical installations. We also require cover for general decorating/carpentry works to ensure that the site remains safe and fit for purpose whilst the maintenance resources are overextended</p> <p>They have specialist knowledge of the site and have access to qualified contractors such as scaffolders, floor layers, welders, carpenters and when required</p> <p>It is proposed that this waiver is an interim measure until the Head of Infrastructure is appointed and can assess the most cost-effective way to carry out these essential 'Patch and Mend' works.</p>
1.4	When is this requirement needed by?	February 2019 for 9 months
1.5	Supplier's name and Postcode	Commercial Services UK Ltd SG1 2FP
1.6	Does this relate to an existing contract?	<p>Yes/ No</p> <p><i>Note: If 'Yes' please provide a copy of the contract or reference detail.</i></p>
1.7	Estimated annual expenditure:	£100,000
1.8	How long is the requirement needed?	<p>9 months</p> <p>Interim whilst we are required to support the upkeep of NIBSC site and buildings and until the Head of Infrastructure has been appointed and carried out a review to identify the most cost-effective way of providing this service.</p>
1.9	Total expenditure (annual £ x years):	£ 100,000.00

Section 1 – Statement of Need (to be completed by the Requestor)

1.10	Why is a Waiver necessary?	<p>It is not possible to predict these works as they are mostly reactive. We have tried using the LUPC framework for a different set of works at NIBSC with no success. (There is only one supplier on this framework)</p> <p>The level of service from the current supplier is excellent and they provide continuity of works across site. The Contractor has bid for many tenders over the last 10 years and have won a large majority of them on price, technical returns and previous workmanship.</p> <p>As we are currently waiting for the appointment of a Head of Infrastructure and once, they are in post a review will be carried out to determine the most cost-effective approach to be used to carry out these works. While this review is carried out, support will be required for the site and so this is felt to be the most cost-effective approach.</p> <p>The Supplier is familiar with the site and our equipment this in turn provides continuity of service as and when required. The personnel are all security checked and do not need supervision around site.</p> <p>Each piece of work is specified and quoted. This is then reviewed before a purchase order is committed to. If value for money is in question or if the value is above 5K then tendering the works is considered with advice from the procurement team.</p>
1.11	How will compliance be achieved in the future?	As soon as we have a direction of travel with the agency accommodation strategy, we will run a competitive procurement for this requirement. If this doesn't happen within the waiver period (9 months) we will review and bench mark.
1.12	Risks to the agency if the waiver is rejected	We would have to seek an alternative supplier to carry out small works around site as and when required. This would rule out reactive repairs as this will be time consuming for both operations and Procurement to procure. Also this would put a strain on the already overstretched maintenance staff to supervise to ensure the work is carried out.

Date: 04 th February 2019	Name: Tim Bloomer	Signature: 
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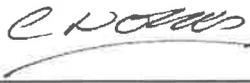
PLEASE NOTE: Your response(s) may form part of the published justification and will be visible to suppliers and the public. An electronic signature is acceptable provided the email is forwarded from the signatory's email account to form an audit trail. Now forward the form to purchasing@nibsc.org

Section 2 – Procurement Check

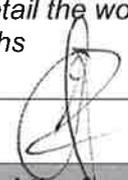
To be completed by the Procurement Manager

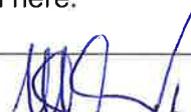
2.1	<p>Under which category does this request fall</p> <p>Legislation— Government policy— Agency policy – Spend of this value should be competitively tendered.</p>
2.2	<p>Why has the reason for the non-compliance occurred</p> <p>1 - Internal / external to agency 2 - Time constraints 3 - Continuation of legacy arrangement to allow formal procurement exercise. 4 - Supplier engaged without procurement involvement.</p>

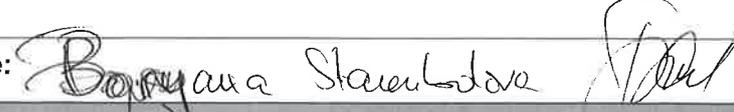
Section 2 – Procurement Check
To be completed by the Procurement Manager

	<p>All of the above. Traditionally this supplier has been used for minor works, as they have been on site whilst carrying out larger project. The larger projects have been competitively tendered.</p> <p>The delays in appointing a new HoIO and the Accommodation Review have meant further delays outside the maintenance departments control.</p> <p>It is suggested that the agency continues to use this supplier during the delays caused by the above. Once we have a new HoIO and an agency policy for accommodation, then a competitive tender should be conducted as soon as possible.</p>
2.3	<p>Does this request fall under Cabinet Office controls (if so which ones) 'Small Works' can fall under the FM controls. (Penny Carter is the owner)</p>
2.4	<p>Risks to the agency if the waiver is approved</p> <p>As no procurement bench marking has been carried out we don't know if we are getting value for money.</p>
2.5	<p>How and when will the non-compliance be eliminated</p> <p>The agency will run procurement a contract for this requirement via a competitive tendering process. This will happen as soon as a direction of travel for accommodation has been agreed by the Corporate Executive Team.</p>
2.6	<p>Contractual Risk (who's T&Cs etc) MHRA PO T&Cs.</p>
2.7	<p>Transparency</p> <p>The details of this contract will be published:</p> <ul style="list-style-type: none"> • On the government web site "Contracts Finder" • In the Official Journal of the European Union
2.8	Other Comments
<p>Date: 7th February 2019</p>	
<p>Name: C Norris</p>	
<p>Signature:</p> <p style="text-align: right;"></p>	

An electronic signature is acceptable. Now either forward the form onto either the appropriate Cabinet Office Controls Owner or back to the requester asking them to forward the form onto their Centre Director.

Section 3 – To be completed by Cabinet Office Controls Owner	
<p>I have reviewed the previous sections of this form and the Waiver Policy Document. I am:</p> <p>Satisfied /</p> <p>That the requirements of the Cabinet Office Controls have been met.</p>	
<p>Comments</p> <p>Please add any comments regarding you decision here.</p> <p><i>Support the waiver for 9 months to allow a review to be undertaken by myself now I have been appointed as Head of Infrastructure. This review will detail the works that will be required going forward and ensure a tender is competed within 9 months</i></p>	
<p>Date: 7th Feb 2019</p>	<p>Name: Penny Carter </p>
<p>An electronic signature is acceptable. Please forward the form to Procurement purchasing@nibsc.org</p>	

Section 4 – To be completed by Centre Director	
<p>I have reviewed the previous sections of this form and the Waiver Policy Document. I am:</p> <p>Satisfied / Not Satisfied (delete as appropriate)</p> <p>That this waiver should be approved and that the risks identified are Acceptable / Not Acceptable</p>	
<p>Comments</p> <p>Please add any comments regarding you decision here.</p>	
<p>Date: 8/2/19</p>	<p>Name: </p>
<p>An electronic signature is acceptable. Please forward the form to Procurement purchasing@nibsc.org</p>	

Section 5 – To be completed by Deputy Director of Finance (if over £25,000)	
<p>I have reviewed the previous sections of this form and the Waiver Policy Document. I am:</p> <p>Satisfied / Not Satisfied (delete as appropriate)</p> <p>That this waiver should be approved and that the risks identified are Acceptable / Not Acceptable</p>	
<p>Comments</p> <p>Please add any comments regarding you decision here.</p>	
<p>Date: 13/03/2019</p>	<p>Name: </p>
<p>An electronic signature is acceptable. If the value is under £100,000 forward to Procurement, if over £100,000 forward to the Chief Operating Officer. If the waiver is rejected forward to purchasing@nibsc.org</p>	

Section 6 – To be completed by Chief Operating Officer (if over £100,000)	
I have reviewed the previous sections of this form and the Waiver Policy Document. I am: Satisfied / Not Satisfied (delete as appropriate) That this waiver should be approved and that the risks identified are Acceptable / Not Acceptable	
Comments Please add any comments regarding you decision here.	
Date:	Name:
An electronic signature is acceptable provided the email is forwarded from the signatory's email account to form an audit trail. Please forward this form to purchasing@nibsc.org	

