

Sandwell Metropolitan Borough Council

Action To Be Taken Under Delegated Powers **Exemption from Procurement and Contract Procedure Rules**

SENDIASS Contract

1. Summary Statement

1.1. Exemption being sought

1.2. Two bids were received for the above contract which is below the minimum level of 3 as set out in the Council's Procurement & Contract Procedure Rules. An exemption is duly being requested to enable the process to proceed.

1.3. Summary

1.4. The existing contract for the provision of the SENDIASS service in the borough expires on 31 March 2019.

1.5. A report was approved by Cabinet on 17 October 2018 to commence a new procurement process and duly award a contract for SENDIASS (Special Educational Needs or Disabilities Information, Advice and Support Service) in Sandwell.

1.6. The tender opportunity was advertised through the Intend Portal as per Council procedure. Eight organisations showed interest in the opportunity but only 4 requested the appropriate TUPE information. Subsequently only two organisations submitted bids.

1.7. As only two bids were received this falls below the threshold of 3 bids to meet the Council's Procurement and Contract Procedure Rules. An exemption is sought to enable the process to be completed and avoid any gaps in service provision. Key decision reference number 11/10/2018. Minute 140/18.

1.8. The Cabinet Report of 17 October 2018 gave authority for the Director- Monitoring Officer to make any necessary exemptions

to the Council's Procurement and Contract Procedure Rules to allow the action to be completed.

- 1.9. In accordance with the Council's Procurement & Contract Procedure Rules (Rule 15) an Exemption from any rule must be endorsed by the Section 151 Officer where they are independent from the original decision-making process, confirming that they are satisfied that the exemption is justified by special circumstances. Where the exemption applies to a service that is the responsibility of the Section 151 officer then the exemption must be approved by the Chief Executive.

Officers must ensure that the Exemption has been discussed and endorsed by their Chief Officer.

1.10 Financial

- 1.11 The Cabinet Report approved maximum funding of £125k per annum for the duration of the SENDIASS contract. A total commitment of £500,000 over the maximum of 4 years.

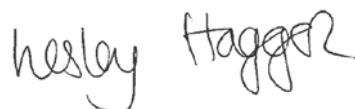
- 1.12 The two bids received are for £497,006 and £449,056.

2 Recommendation

- 2.1 That the Director-Monitoring Officer enters into a new contract with the successful tenderer for the provision of a SENDIASS service from 1 April 2019 to 31 March 2022 (with the option to extend for a further year) on terms to be agreed by the Director – Education, Skills and Employment.
- 2.2 That any necessary exemptions be made to the Council's Procurement & Contract Procedure Rules to enable the course of action referred to in 2.1 above to proceed.

In accordance with the Council's Procurement and Contract Procedure Rules, I/We endorse the action(s) recommended above:

I do not have an interest to declare in this matter



Lesley Hagger
Executive Director of Children's Services

Date:

I do not have an interest to declare in this matter



Darren Carter
Executive Director - Resources (S151 Officer)

Date: 22.1.19

In accordance with the Council's Procurement and Contract Procedure Rules, I approve the actions(s) recommended above:

I do/do not have an interest to declare in this matter

Surjit Tour
Director - Monitoring Officer

Date:

Contact Officers

Name of report author: Peter Forth

Title: Senior Commissioning Manager

Contact details 0121 569 2034