

**APPENDIX 2 - Details of waivers approved in the period 1 April 2021 to 30 September 2021 (Q1 and 2 2021/22)**

<b>Contract title</b>	<b>Value £000</b>	<b>Directorate</b>	<b>Details of the waiver</b>	<b>Long term action plan</b>
Mainland care placement x 6	322	Adult social care & community well-being	The council has a well-established network of contracts across the Island but not for ad hoc mainland placements, therefore the service utilised the waiver process as a route to award the contracts.	The frequency of mainland placements is being monitored. It is felt at present that they aren't frequent enough to justify a full open market competitive procurement process as the work required to do this is disproportionate to the need for these services.
Independent health complaints advocacy	11	Adult social care & community well-being	The council has a statutory duty under the Health and Social Care Act 2012 to commission this service. The waiver sought to extend the current contract by three months while an open market competitive procurement process is carried out.	Open market competitive procurement process has commenced.
Care fees negotiation tool software	8	Adult social care & community well-being	The waiver sought to continue using the current system for a 12-month period. It was considered important to continue with the current system as local providers are trained on the system and consequently, the tool is trusted by local parties as a fair way to set fees.	Adult social care commissioning has committed to reviewing placement pricing with the care home sector over the coming months which will inform the ongoing need for the fee tool.
Residential/education placements for children and young people x 15	1,371	Children's services	The children's services commissioning team utilise the waiver process as a route to commissioning a placement in the following situations: <ul style="list-style-type: none"> <li>• When no suitable supplier can be commissioned through the framework agreement;</li> <li>• Where the placement is made at the request of the family/family legal representatives;</li> </ul>	The suppliers have been approached to join the framework agreement.

			<ul style="list-style-type: none"> <li>Where the council is responsible for paying fees due to the "belonging regulation".</li> </ul>	
Data synch support and maintenance and DSM object sync for ERP system	40	Corporate services	The waiver sought to continue to engage with the supplier on the basis that they are the only provider able to support their software (sole source of supply).	The council's future use of the SAP/ERP system is being reviewed. Ongoing support and maintenance services beyond the expiry of the waiver will be subject to the outcome of the review.
Mental health first aid	12	Corporate services	The waiver was submitted to continue to support staff and ensure refresher training was provided for existing Mental Health First Aiders, avoiding a lapse in requalification and loss of investment already made in those staff. The cost had been relatively low value each year until recently with the increased demand and level of support now offered to staff.	Due to the increased value, a competitive procurement process will be carried out.
Apprenticeship children's services data science - Level 4	45	Corporate services	The waiver was sought to be able to engage directly with the supplier to deliver specialist training. There is no other identified training provider who offers the desired course. The supplier is not on the council's dynamic purchasing system for apprenticeships and training services and so the waiver route was deemed to be the most appropriate way to engage the supplier within the timescale available.	One off contract.
Vehicle maintenance and bodyworks for council's fleet	42	Corporate services	The recommissioning of the council's vehicle maintenance contract is underway. The contract is now being set up as an approved supplier list which can be accessed by other organisations on the Island who can utilise the preferential rates agreed under the contract. This is far more complex than the previous contract. Progress on carrying out the procurement has been delayed as the fleet and facilities manager and team have been heavily involved with the extra work caused by the pandemic which has included setting up of the vaccination centre at	Open market competitive procurement process has commenced.

			Westridge and the lateral flow testing centres across the Island together with management of PPE supplies and supporting the local resilience forum role of enabling pharmacies to provide a testing collection service. The waiver was sought to allow additional time to carry out the procurement process.	
Engineering consultancy for MS14 programme highways PFI	91	Neighbourhoods	<p>A specialist supplier of structural engineers and inspectors were engaged to commence the review of MS14 remedial works and certification of the Highways PFI contract. The waiver was sought as a full competitive procurement process could not be carried out in the timescales required for the works.</p> <p>To ensure value for money is achieved, the commissioners sought quotes and awarded to the best value supplier. The funding for these services is to be met by the Highways PFI Contractor.</p>	One off contract.
Beach management zoning equipment	28	Neighbourhoods	The pre procurement estimated value of the equipment was below the £25k threshold meaning the service area needed to seek 3 quotes in order to satisfy contract standing orders. Quotations were sought from 6 suppliers with only 3 submitting quotations. The cost of the equipment exceeded the estimation as well as the £25k threshold therefore the waiver was sought to allow the service area to award a contract to the best value supplier without needing to restart the process.	One off contract.
Department for Transport (DfT) access fund programme management	97	Neighbourhoods	<p>The original access fund programme management contract was tendered via an open market competitive procurement process in 2017.</p> <p>Due to Covid 19 the DfT access fund was extended to 31 March 2022 and the waiver was to align the programme management support with the revised date from the DfT.</p>	If further funding is anticipated beyond 31 March 2022, a competitive procurement process shall be carried out to procure the support services.
Ryde harbour dredging	42	Neighbourhoods	The waiver was sought to permit the service area to award a contract to the supplier who is named on the Marine Management Organisation (MMO) dredging license.	One off contract.

Floating bridge 6 dry dock shipyard	68	Neighbourhoods	<p>The Maritime and Coastguard Agency (MCA) require that Floating bridge 6 must be subjected to an out of water inspection every five years. Staff have worked with advisors to develop a detailed programme for the inspection to take advantage of the period when the vessel is withdrawn from service to undertake key maintenance tasks.</p> <p>The supplier has the closet dry dock that can accommodate floating bridge 6 and are able to provide an onsite/in-house contractor service required to deliver the dry dock inspection and works.</p>	One off contract.
Floating bridge 6 technical works	100	Neighbourhoods	<p>The supplier is a specialist engineering contractor and have considerable experience of floating bridge and its systems; they have undertaken a considerable amount of work on floating bridge 6 including the fabrication and replacement of guide wheels as well as extensive repairs to the loading ramps.</p> <p>A waiver was sought to engage the supplier to carry out technical engineering works to remedy the issues with floating bridge 6.</p>	One off contract.
Floating bridge 6 north drive motor	120	Neighbourhoods	<p>The supplier is a specialist hydraulics supplier who the service area sought to engage with directly to supply two new drive motors for the floating bridge 6. Due to the lead times of the equipment, a waiver was requested to enable the service area to order the items without conducting an open market competitive procurement process.</p>	One off contract.
Supervised asymptomatic covid-19 pharmacy testing	326	Public health	<p>All pharmacies across the Isle of Wight were approached and given the opportunity to express an interest in carrying out supervised asymptomatic covid-19 testing. 17 pharmacies expressed an interest and the waiver sought to offer all 17 a contract.</p>	One off contract.
Parkhurst estate – camphill project management	35	Regeneration (in conjunction with Neighbourhoods )	<p>Urgent specialist technical project management support was required to assist the council's highways PFI team with completing a costed schedule of works to enable Island Roads as the PFI contractor to</p>	One off contract.

			<p>identify, survey, cost and commence emergency works in a short time frame on the Parkhurst prison estate.</p> <p>The identified supplier had previously been engaged on the same project at an earlier stage by the highways PFI team and was deemed to be best placed to be able to pick up the work quickly.</p>	
New electricity supply for medina leisure centre	43	Regeneration	<p>A new electricity supply into medina leisure centre was required to separate the leisure centre from the nearby school's power supply as part of works commissioned using Salix grant funding. The waiver was sought to be able to directly award the contract to the distribution network operator who is the only contractor able to carry out the works.</p>	One off contract.
Branstone business park managing agent	33	Regeneration	<p>The waiver sought to award a concession contract to the anchor tenant at the new Branstone Business Park for them to take on the responsibility of letting agent (marketing the units, liaising with potential tenants, negotiating terms, instructing solicitors, seeing the matter through to completion of lease and occupation by the tenant) at a reduced rent. The service area felt that open market competition wouldn't be appropriate as the anchor tenant was already secured and they were deemed best placed to deliver these services.</p>	Future commissioning options will be explored when current contract is up for renewal.
Branstone business park letting agent	36	Regeneration	<p>The waiver sought to directly award a contract to its business park anchor tenant to act as the council's managing agent of the business park (commissioning and delivery of on-site services, calculating service charges, invoicing of rents and service charges, rent/service charge collection, chasing late payments, liaising with tenants, managing communal areas, overseeing minor repair &amp; maintenance works) for which it will receive a fee based on a percentage of the income received. The service area felt that open market competition wouldn't be appropriate as the anchor tenant was already secured and they were deemed best placed to deliver these services.</p>	Future commissioning options will be explored when current contract is up for renewal

Increase in sites electricity supply – howard house	100	Regeneration	There was a requirement to substantially increase the existing buildings electricity supply involving new connections to the mains high voltage network within the adjoining carriageway and new substation. The waiver sought to directly award the contract to the distribution network operator who is the only contractor able to carry out the works.	One off contract.
Supply of non-half hourly electricity, half hourly electricity and gas to council sites	N/A	Regeneration	The waiver sought to waive the requirement within contract standing orders to seal contracts valued over £250k. This is due to the time constraints between receiving bids and needing to award the contract.	N/A
Electricity supply to branstone business park and brewery	233	Regeneration	Works were required to provide an electricity supply to Branstone Business Park and the new brewery and visitors centre. The waiver sought to directly award the contract to the distribution network operator who is the only contractor able to carry out the works.	One off contract.