

OFFICER DECISION RECORD 1 FORM

This form should be used to record Officer Decisions in Excess of £100k (but below the key decision threshold), or where required by Financial, Contract or other Procedure Rules or following formal delegation from Cabinet or a Cabinet Member or a Council Committee.

Decision Reference No: RE18 0141

BOX 1

DIRECTORATE: Regeneration and Environment

DATE: 30/10/2018

Contact Name: Zara Jones

Tel. No.: 01302 736861

Subject Matter: Supply of Domestic and Commercial Plumbing and Heating Materials

BOX 2**DECISION TAKEN**

To navigate the Council's Domestic and Commercial Plumbing and Heating Materials spend through the YPO framework to ensure compliance, best value and locality.

BOX 3**REASON FOR THE DECISION**

In March 2018, an Officer Decision record was authorised to carry out a full open OJEU procurement exercise in accordance with both the Public Contract Regulations and the Council's Contract Procedure Rules. After considering the submissions received upon conclusion of this process, the Council has taken the decision not to award as it was neither expedient nor in the public interest given the nature of the Tenders received.

Our current contract expired on 27 July 2018 and the current spend is off contract.

As Doncaster Council is a founding member of the Yorkshire Purchasing Organisation, we qualify for a percentage rebate on all contracts procured through their frameworks.

The YPO framework, 571 offers The Council a compliant route to market and will allow The Council to utilise economies of scale and by doing so securing best value.

BOX 4**ALTERNATIVE OPTIONS CONSIDERED AND REJECTED****Option 1**

Do nothing

As the current contract expired on 27 July 2018 we are currently in breach of the Council's Contract Procedure Rules. If The Council decides not to utilise the YPO framework, the off contract value will increase as will the legal, financial, and reputational risks to the Council as suppliers will not be bound in contract.

Option 2

To award through the YPO Framework, ensuring a compliant route to market. This will also assist the Council in meeting their objectives by certifying value for money, localised spend and social value.

BOX 5**LEGAL IMPLICATIONS**

Section 1 of the Localism Act 2011 provides the Council with a general power of competence, allowing the Council to do anything that individuals generally may do. Section 111 of the Local Government Act 1972 gives the Council the power to purchase goods and services.

The report author has advised that purchase of domestic and commercial plumbing and heating materials will be made using the YPO framework. Frameworks are arrangements set up in accordance with EU procurement rules, which will allow the Council to purchase goods without the need to run a separate tender. This Council must be named clearly in the official journal of the European Union advert as being one of the contracting authorities calling for competition when setting up the framework.

The procurement of the materials must be in accordance with the Council's Contract Procedure Rules, the Public Contract Regulations 2015, and the procedures outlined in the YPO framework.

Legal Services should be consulted regarding putting in place contract documentation for the purchase of the materials.

Name: Wahid Khan Signature: _____ Date: 31/10/18

Signature of Assistant Director of Legal and Democratic Services (or representative)

BOX 6

FINANCIAL IMPLICATIONS:

There are no specific financial implications to using the YPO framework. The cost of materials should be factored into estimates for repairs, maintenance and improvement work. Costs should be monitored through established budget monitoring processes.

Name: Matthew Smith Signature: Date: 31 October 2018

Signature of Chief Financial Officer and Assistant Director of Finance (or representative)

**BOX 7
OTHER RELEVANT IMPLICATIONS**

None

Name: _____ Signature: _____ Date: _____

Signature of Assistant Director (or representative)

ANY IMPLICATIONS SENT TO DEPARTMENTS SHOULD GENERALLY BE SUBMITTED AT LEAST 5 WORKING DAYS IN ADVANCE TO ENSURE THESE CAN BE GIVEN THE RELEVANT CONSIDERATION.

**BOX 8
EQUALITY IMPLICATIONS: (To be completed by the author).**

There are no direct equality implications

**BOX 9
RISK IMPLICATIONS: (To be completed by the author)**

If the Council decide to not to utilise the YPO framework, the off contract value will increase as will the risk. Suppliers will not be bound in contract and The Council will be exposed.

**BOX 10
CONSULTATION**

Assistant Director has discussed with Head of Procurement.

**BOX 11
INFORMATION NOT FOR PUBLICATION**

In accordance with the Freedom of Information Act 2000, it is in the public's interest for this decision record to be published in full, redacting only the signatures.

Name: S Greaves

Signature:

Date: 05/11/18

Signature of FOI Lead Officer for service area where ODR originates

**BOX 12
BACKGROUND PAPERS**

Please confirm if any Background Papers are included with this ODR YES/NO

(If YES please list and submit these with this form)

**BOX 13
AUTHORISATION**

Name: Dave Wilkinson Signature: _____ Date: 7 November 2018

Assistant Director of Trading and Property Services

Does this decision require authorisation by the Chief Financial Officer or other Officer

YES/NO

If yes please authorise below:

Name: _____ Signature: _____ Date: _____

Chief Executive/Director/Assistant Director of _____

Consultation with Relevant Member(s)

Name: _____ Signature: _____ Date: _____

Designation _____

(e.g. Mayor, Cabinet Member or Committee Chair/Vice-Chair)

Declaration of Interest YES/NO

If YES please give details below:

PLEASE NOTE THIS FORM WILL BE PUBLISHED ON THE COUNCIL'S WEBSITE IN FULL UNLESS IT CONTAINS EXEMPT OR CONFIDENTIAL INFORMATION.

Once completed a PDF copy of this form and any relevant background papers should be forwarded to Governance Services at Democratic.Services@doncaster.gov.uk who will arrange publication.

It is the responsibility of the decision taker to clearly identify any information that is confidential or exempt and should be redacted before publication.