

Guidance notes

Introduction

The following Contract Procedure Rules (CPRs) can be waived in **exceptional circumstances** and only with the prior written approval of the relevant chief officer –

Contracts procedure rule No 3.1.1.1 – Category plan and approved budget

Contracts procedure rule No 3.1.6 – Requirement to use existing suppliers

Contracts procedure rule No 3.1.7 – Requirement to use an approved framework agreement

Contracts procedure rule No 3.1.15 – Requirement to use the council's standard tender documents

Contracts procedure rule No 3.1.22 – Procurements not to be undertaken by consultants

Contracts procedure rule No 3.1.23 – Post tender negotiations

Contracts procedure rules No 8.1 and 8.2 – Intermediate value procurements

Contracts procedure rules No 9.1 and 9.2 – High value procurements

Contracts procedure rule 15.2 – Tender evaluation

Waivers cannot be made retrospectively in any circumstances and failure to comply with CPRs may result in disciplinary action.

A report is required to meet the council's obligations of transparency and openness and to show that the matter referred for consideration properly falls within CPRs.

Officers are recommended to seek advice from the chief procurement officer when completing the waiver report.

Report of: Head of Information Management and Technology

Report to Neil Evans, Director, Environment and Housing

Date: 21st September 2016

Subject: Report to seek a waiver of CPR9.1 & 9.2 in accordance with CPR1.3 & 27 to enter into a contract with TotalMobile Limited for the provision of a Job Scheduling tool for use in Leeds Building Services.

Are specific electoral wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, name(s) of ward(s):		
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:		
Appendix number:		

Summary of main issues

1. The Housing Leeds Services are supported by a number of key business applications to deliver front line services to Council Tenants. In August 2015 Housing Leeds Property and Contracts re-aligned 200 operatives and 50 back office staff from Civic Enterprise Leeds to join the former Construction Services team, which became the new Leeds Building Services team.
2. The former Construction Services staff use Orchards SVS Mobile Offer in conjunction with Orchards Direct Works to support Building Services activities. The former Civic Enterprise Leeds staff use TotalMobile in conjunction with TotalRepairs for the same function. A common solution for use across the re-aligned Leeds Building Services team was therefore required.
3. In August 2016, approval was received from the Director of Environment and Housing to invest in TotalMobile and TotalRepairs as the sole business application to support Building Services activities. Approval was also given to invest in an advanced Job Scheduling Tool which will increase operational efficiency of the responsive repairs staff.

Recommendations

1. The Director of Environments & Housing is requested to approve this request to waive CPR 9.1 & 9.2 in accordance with CPR1.3 & 27, to enter into a new contract with TotalMobile Limited, based on standard LCC terms and conditions to procure the Optimise advanced Job Scheduling tool. The initial contract period will run until 9 May 2018, thereby being co-

terminus with existing contract YORE-936GZN (LCCITS120025) for TotalMobile and TotalRepairs, and will include the option for 5 x 1 yr extensions. The overall total value of this contract, including annual support and maintenance cover for 6yrs, will be approx £104k.

1 Purpose of this Report

- 1.1 This report sets out the reasons for recommending that the Director of Environments & Housing approves the waiver of CPR 9.1 & 9.2 in accordance with CPR1.3 & 27 to enter into a contract with TotalMobile Limited to procure the Optimise advanced Job Scheduling tool for an initial contract period up to 9 May 2018, with the option to extend for a further 5x 1 year periods.

2 Background information

- 2.1 The original contract to procure the TotalMobile and TotalRepairs Property Maintenance package was tendered under EU Restricted Procedure rules. A contract was awarded in May 2013 for a period of 5yrs, with an option to extend for a further 5 x 1yr periods. The initial value of this contract, including annual support and maintenance, was in the region of £463k. Please refer to original contract number LCCITS120025 for details.
- 2.1 Leeds Building Services have received approval to invest in TotalMobile and TotalRepairs as its preferred business application to support its Building Services activities. Approval has also been given to invest in an advanced Job Scheduling tool to increase operational efficiency amongst the responsive repairs staff.
- 2.2 There are two advanced Job Scheduling tools available for use with TotalRepairs. One is Xmbrace DRS from Kirona, the other is Optimise from TotalMobile Limited. However, whichever tool we choose, implementation will require support from TotalMobile Limited. Optimise is considered to be the most appropriate tool as it can be fully integrated with both the TotalMobile and TotalRepairs applications currently in use.
- 2.3 A quotation for the supply, implementation and support of the Optimise Job Scheduling tool has been obtained from TotalMobile Limited.
The costs are:
100x licences – £35,000
Implementation - £25,700
Support & Maintenance costs (6yrs) - £43,000
Total cost in first year would be £67,700, with a recurring cost of approx. £7k per year support & maintenance for the remaining 5 years.
- 2.4 Leeds Building Services have substantial financial performance targets for 17/18 onwards and the implementation of TotalMobile and TotalRepairs along with Optimise advanced job scheduling will underpin efforts to achieve these targets.

Main issues

3.1 Reason for contracts procedure rules waiver

- 3.1.1 There are no provisions within the existing contract to procure the Optimise advanced Job Scheduling tool. Approval is therefore sought to waive CPR's 9.1 & 9.2 to award a separate contract with TotalMobile Limited to procure the Optimise advanced Job Scheduling tool for an initial contract period up to 9 May 2018, with the option to extend for a further 5x 1 year periods.

3.2 Consequences if the proposed action is not approved

- 3.2.1 If approval of this procurement is not granted this would have a significant effect on the ability of Leeds Building Services to achieve its financial targets in 17/18.

3.3 Advertising

- 3.3.1 This procurement has not been advertised as the Optimise Job Scheduling tool is proprietary software and can only be supported by TotalMobile Limited.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 Discussions have taken place with TotalMobile Limited around the advanced Job Scheduling tools available for use.
- 4.1.2 E&H IM&T will be involved in the project throughout.
- 4.1.3 The Chief Officer, Property and Contracts, has been consulted.
- 4.1.4 Advice has been sought from PPPU Procurement Representatives and ICT Procurement Representatives with regards to the waiver process.

5. Equality and diversity / cohesion and integration

- 5.1 The impact on equality was considered implicitly within the proposal and as part of the procurement process. An equality screening was undertaken and found there would be no equality impacts.

6. Council policies and city priorities

- 6.1 Investing in the Optimise Job Scheduling tool will enable Leeds Building Services to improve response and activity completion times, which will have the resulting effect of providing better outcomes for citizens.

7. Resources and value for money

- 7.1 Adoption and use of the Optimise advanced Job Scheduling tool contributes to the Council values of spending money wisely, as gains in operational productivity within Leeds Building Services will result in a reduction in subcontractor spend and therefore keep funds within the authority.

8. Legal implications, access to information and call in

- 8.1 The award of a contract to procure the Optimise Job Scheduling tool is a Significant Operational decision, taken by the Director of Environment & Housing, and is not subject to call in.
- 8.2 The Optimise Job Scheduling tool is proprietary and therefore can only be supported by TotalMobile Limited.

9. Risk management

- 9.1 If no contract is awarded, there is a risk that Leeds Building Services will not meet its operational and financial targets in 17/18.
- 9.2 IM&T and PPPU will establish the project to implement TotalMobile, TotalRepairs, and the Optimise advanced Job Scheduling tool which will be used as the sole business application for Building Services activities within Leeds Building Services.
- 9.3 A risk log will be developed as part of the overall project management for the implementation of TotalMobile, TotalRepairs and Optimise into Leeds Building Services

10. Conclusions

- 10.1 The procurement of the Optimise Job Scheduling tool to use alongside TotalMobile and TotalRepair applications will provide the appropriate suite of tools for Leeds Building Services to increase its operational productivity.

11. Recommendations

- 11.1 The Director of Environments & Housing is recommended to approve this request to waive CPR 9.1 & 9.2 in accordance with CPR1.3 & 27, to enter into a contract with TotalMobile Limited based on standard LCC terms and conditions to procure the Optimise advanced Job Scheduling tool. The contract will run until 9 May 2018, co-terminus with existing contract YORE-936GZN (LCCITS120025) and will include the option for 5 x 1 yr extensions. The total value of this contract, including annual support and maintenance cover for 6yrs will be approx £104k

12. Background documents

- 12.1 N/A