

## Delegated Decision Notice (DDN)

This form is the written record of a key, significant operational or administrative decision taken by an officer.

<b>Decision type</b>	<input type="checkbox"/> Key Decision	<input checked="" type="checkbox"/> Significant Operational Decision	<input type="checkbox"/> Administrative Decision
<b>Approximate value</b>	<input type="checkbox"/> Below £500,000 <input type="checkbox"/> £500,000 to £1,000,000 <input type="checkbox"/> over £1,000,000	<input type="checkbox"/> below £25,000 <input type="checkbox"/> £25,000 to £100,000 <input type="checkbox"/> £100,000 to £500,000 <input checked="" type="checkbox"/> Over £500,000	<input type="checkbox"/> below £25,000 <input type="checkbox"/> £25,000 to £100,000
<b>Director<sup>1</sup></b>	Director of Strategy and Resources		
<b>Contact person:</b>	Mandy Snaith	Telephone number: 0113 535 0255	
<b>Subject<sup>2</sup>:</b>	Variation under Regulation 72 (1) (e) to amend end date of the framework agreement DN449248 for the supply of liquid fuels to Leeds City Council.		
<b>Decision details<sup>3</sup>:</b>	<p>What decision has been taken? (Set out all necessary decisions to be taken by the decision taker including decisions in relation to exempt information, exemption from call-in etc.)</p> <p>The Chief Officer Civic Enterprise Leeds approved the variation of end dates of the framework agreement DN449248 Supply of Liquid Fuels with Certas Energy UK Ltd for two months from 30<sup>th</sup> November 2023 to 31<sup>st</sup> January 2024 in line with Regulation 72 (1)(e) of the Public Contracts Regulation (2015) with an estimated value of £666,670 under the same terms and conditions and rates.</p> <hr/> <p>A brief statement of the reasons for the decision (Include any significant financial, procurement, legal or equalities implications, having consulted with Finance, PACS, Legal, HR and Equality colleagues as appropriate)</p> <p>It is proposed that a new arrangement be put in place using the Yorkshire Purchasing Organisation (YPO) Liquid Fuels &amp; Associated Products framework. The framework is set to start end of October 2023, meaning the Council has a short period to evaluate bids as a result of the mini competition, mobilise resources and award the contract before the expiry of the existing framework agreement on 30<sup>th</sup> November 2023.</p> <p>It is therefore necessary to vary the end date of the current framework agreement by two months from 30<sup>th</sup> November 2023 to 31<sup>st</sup> January 2024 using Regulation 72 (1) (e) of the Public Contracts Regulation (2015). This additional period will allow for a call-off mini competition procedure to be</p>		

<sup>1</sup> Give title of Director with delegated responsibility for function to which decision relates.

<sup>2</sup> If the decision is key and has appeared on the list of forthcoming key decisions, the title of the decision should be the same as that used in the list


<sup>3</sup> Simply refer to supporting report where used as these matters have been set out in detail.

	<p>conducted including evaluation and award of contract.</p> <p>PACS legal have advised that this is a compliant means of varying the end date, and the reasons for doing so are acceptable.</p> <p>The framework agreement continues to offer competitive rates for liquid fuels and the current supplier Certas Energy UK Ltd, have indicated they are happy for the end date to be varied.</p> <p>This decision is taken as a direct consequence of a previous key decision taken on 03/10/19 “authority to procure a contract for the supply of liquified fuels “ and then subsequent significant operational decisions .This decision is treated as a Significant Operational Decision and not subject to Call-in.</p>
	<p>Brief details of any alternative options considered and rejected by the decision maker at the time of making the decision</p> <p>The option not to vary the expiry dates has been considered. However, the new YPO Liquid Fuels &amp; Associated Products framework is not set to start until late October 2023 so the Council will not have sufficient time to carry out the call-off procedure, bids evaluation, contract award and transition to potentially a new supplier before the expiry of the existing agreement on 30<sup>th</sup> November 2023. Therefore, it was best to vary the existing agreement for a 2 month period which will allow the Council to set up a new arrangement in regard to the supply of liquid fuels.</p>
<b>Affected wards:</b>	All wards
<b>Details of consultation undertaken<sup>4</sup>:</b>	Executive Member
	Ward Councillors
	Chief Digital and Information Officer <sup>5</sup>
	Chief Asset Management and Regeneration Officer <sup>6</sup>
	<p>Others</p> <p>Procurement &amp; Commercial Services (PACS) legal have been consulted and advised that Regulation 72 (1) (e) is appropriate in varying the contract end dates.</p>
<b>Implementation</b>	Officer accountable, and proposed timescales for implementation

<sup>4</sup> Include details of any interest disclosed by an elected Member on consultation and the date of any relevant dispensation given.

<sup>5</sup> See Officer Delegation Scheme (Executive Functions) CDIO must be consulted in relation to all matters relating to the Council's use of digital technology

<sup>6</sup> See Officer Delegation Scheme (Executive Functions) CAMRO must be consulted in relation to all matters relating to the Council's land and buildings.

	Mandy Snaith - Deputy Chief Officer, Head of Catering and Fleet Services	
	The implementation of this variation is sought and will thus enable notification and implementation before the end of the current framework agreement on 30th November 2023 ensuring provision remains in place through until 31 <sup>st</sup> January 2024.	
<b>List of Forthcoming Key Decisions<sup>7</sup></b>	Date Added to List:-	
	<b>If Special Urgency or General Exception</b> a brief statement of the reason why it is impracticable to delay the decision	
	<b>If Special Urgency</b> Relevant Scrutiny Chair(s) approval Signature _____ Date _____	
<b>Publication of report<sup>8</sup></b>	If not published for 5 clear working days prior to decision being taken the reason why not possible:	
	If published late relevant Executive member's approval Signature _____ Date _____	
<b>Call-in</b>	Is the decision available <sup>9</sup> for call-in?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	<b>If exempt from call-in</b> , the reason why call-in would prejudice the interests of the council or the public:	
<b>Approval of Decision</b>	Authorised decision maker <sup>10</sup> The Chief Officer Civic Enterprise Leeds- Sarah Martin	
	Signature 	Date 8/11/23

<sup>7</sup> See Executive and Decision Making Procedure Rule 2.4 - 2.6. Complete this section for key decisions only

<sup>8</sup> See Executive and Decision Making Procedure Rule 3.1. Complete this section for key decisions only

<sup>9</sup> See Executive and Decision Making Procedure Rule 5.1. Significant operational decisions taken by officers are never available for call-in. Key decisions are always available for call-in unless they have been exempted from call-in under rule 5.1.3.

<sup>10</sup> Give the post title and name of the officer with appropriate delegated authority to take the decision.