

Exception to the Need to Tender Form

The Constitution of the Chichester District Council requires that most contracts should be subject to a tender process in the interests of best value and fairness and proper public process.

However, the constitution page 171 provides for this to be superseded on certain grounds – see attached.

(1) The Council requires that the following works be completed –

Renewal of Microsoft Enterprise Agreement 2022 – 2025

In the opinion of the officer who is the contract administrator, one or more of the grounds for an exception applies in this instance.

(2) The ground / s on which an exception is sought is –

6.1 The work to be executed or the goods or materials or services to be supplied:

- are procured via an approved and valid framework agreement. The use of such agreement to be approved in consultation with the Legal Services Practice Manager and the Chief Finance Officer (or his appointed Representative).

6.2 The work to be executed or the goods or materials or services to be supplied:

- are exclusively manufactured by the supplier, or the goods, materials, or services are sold only at a fixed price and no satisfactory alternative is available.

(3) The estimated value of the work is approximately:

£158,076.93 per year for a three-year term (total expenditure: £474,230.79)

(4) The organisation which it is recommended that the works be performed is –

Microsoft through their authorised distributor Softcat

Submitted by: Andrew Forward (The contract administrator)

(Job Title) ICT Manager

Date 14 June 2022

The decision must always be considered by the appropriate Head of Service, and by the Chief Finance Officer.

Considered by: Joe Mildred (Head of Service)

(Job Title) Divisional Manager Business Services

Decision of Head of Service Approved

Date 15 June 2022

Considered by: John Ward (Chief Finance Officer)

(Job Title) Director of Corporate Services

Decision of Chief Finance Officer Approved

Date 16 June 2022

Note that the above decision, if approved, must be referred to Cabinet where the contract is estimated to exceed £50,000.

The contract administrator should note that at all times he or she will need to demonstrate that the contract represents value for money and that the Council will receive Best Value for the work undertaken. Further advice may be obtained by the contract administrator or the Head of Service from Legal Section on the Constitution as it applies to this application.