

## CONTRACT WAIVER REPORT

### Contracts Rules

#### **Waiver Report dated 24<sup>th</sup> June 2021 prepared by Caroline Sutcliffe: Housing Strategy & Enabling Officer**

Contract for the provision of link worker support by P3 between:

CHELTENHAM BOROUGH COUNCIL

and

PEOPLE POTENTIAL POSSIBILITIES

#### **Reason for report**

The contract will exceed the £10,000 threshold and in order to comply with Council's Contract Rules (Rule 5.1) either three written quotations should have been obtained (above £10,000 and not exceeding £25,000) or a full competitive procurement should have been carried out (above £25,000 to Threshold).

Cheltenham Borough Council currently have a contract with P3 to provide a part time link worker role to provide intensive support to a small number of entrenched rough sleepers within Cheltenham.

This role is currently funded through short term 'protect plus' funding and is due to expire on the 30<sup>th</sup> June 2021. However CBC have recently received an unexpected 'windfall' payment of £60,000 through the MHCLG (Ministry of Housing and Local Communities) Rough Sleeping Initiative (RSI) 4 programme through an uplift payment to support accommodation costs and initiatives for people rough sleeping during the financial year of 2021/22 which will enable the contract to be extended until the 31<sup>st</sup> March 2022.

Clause 2.1 of the Contract allows the Contract to be extended for a further period of up to one year upon the same terms and conditions as contained in the Contract (All other terms and conditions of the Contract shall apply to the extended term unchanged).

#### **Summary of goods, works or services**

The Supplier (P3) will provide link worker support to entrenched homeless persons in the Borough of Cheltenham, additional to that being supplied to the Council (and others) under an agreement dated 3rd August 2017 (as varied.)

This dedicated resource provides additional intensive support to clients who are entrenched in rough sleeping and are not engaging with current support offered to help broker possible bespoke solutions and pathways.

**Price, Quotes or Tenders**

The costings to extend the Contract for the provision of link worker support until the 31<sup>st</sup> March 2022 is an additional Charge of £14,984.79

**Reasons why a Waiver is required**

Under Contract Rule 6.1

6.1.1	Where the goods, materials, works or services are of a unique or specialised nature or are identical or similar to or compatible with an existing provision so as to render only one or two sources of supply appropriate, including: <ul style="list-style-type: none"><li>• an upgrade or</li><li>• where the contract concerns, wholly or mainly, repairs to or the supply of parts for existing proprietary machinery, plant or equipment and the repairs to or the supply of parts cannot be carried out practicably by alternative contractors;</li></ul>
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because:-

In this case Cheltenham Borough Council currently have a contract with P3 to provide a part time link worker role to provide intensive support to a small number of entrenched rough sleepers within Cheltenham.

This role is currently funded through short term 'protect plus' funding and is due to expire on the 30<sup>th</sup> June 2021.

However CBC have recently received additional funding through the MHCLG (Ministry of Housing and Local Communities) Rough Sleeping Initiative (RSI) 4 programme through an uplift payment to support accommodation costs and initiatives for people rough sleeping during the financial year of 2021/22 which will enable the contract to be extended until the 31<sup>st</sup> March 2022.

Clause 2.1 of the Contract allows the Contract to be extended for a further period of up to one year upon the same terms and conditions as contained in the Contract (All other terms and conditions of the Contract shall apply to the extended term unchanged).

However the contract will exceed the £10,000 threshold and in order to comply with Council's Contract Rules (Rule 5.1) either three written quotations should have been

obtained (above £10,000 and not exceeding £25,000) or a full competitive procurement should have been carried out (above £25,000 to Threshold).

**Recommendation**

To accept the quote of £14,984.79 (excluding Vat) from P3 to extend the contract of the provision of link worker support by P3 between Cheltenham Borough Council and People Potential Possibilities until 31<sup>st</sup> March 2022.

**Recommendation approved in accordance with Contract Rule 6.2.2 by:**

**Budget Holder** (if delegated authority given by Director/Executive Director/Chief Executive to sign waivers) **OR Director/Executive Director/Chief Executive**



**Signed:**

**Date: 29/06/2021**

**s151 Officer** (Consultee)



**Signed**

**Date: 29/06/21**

**Council Solicitor** (Consultee)

**Signed**

**Date:**