

Agenda Item 4

Supporting People – Request for Waiver and Award of Interim Contracts – Revised Head of Legal Comments

9 Head of Legal Services Comments

- 9.1 CSO 6.05 provides that except as otherwise provided under CSOs, contracts with an estimated value of more than £25,000 must be let following a competitive tendering process.
- 9.2 The contracts to which this report relates are Part B services for the purposes of the Public Contract Regulations 2006. Therefore it will not be necessary to comply with the requirements to tender under EU legislation.
- 9.3 CSO 7.02 (a) provides that the Cabinet Procurement Committee may waive the requirement to tender if the waiver is justifiable under CSO 7.03.
- 9.4 CSO 7.03(d) provides that a waiver may be agreed where it is in the Council's overall interest to do so.
- 9.5 The Cabinet Procurement Committee also has power to approve an award of contract under CSO 11.03 (contracts valued at over £250,000).
- 9.6.1 The Head of Legal Services sees no legal reasons preventing the Cabinet Member from approving recommendations set out in paragraph 4 of this report.