

EXEMPTION CERTIFICATE

Reference No: **E - 739**

Before completing this Exemption Certificate please read the Important Notes

Section 1. EXEMPTION REQUEST (To be completed by Requesting Officer)

Please complete all the areas

TENDER/QUOTATION FOR	Extension of engagement of Vanguard Consulting
REQUESTING DEPARTMENT	Chief Executives Office
DEPARTMENT LOCATION	Civic Centre
NAME OF REQUESTING OFFICER	John van de Laarschot

REASON FOR EXEMPTION
FROM FINANCIAL PROCEDURE
RULES

Note:

**Please read the appropriate notes
before completing this document.**

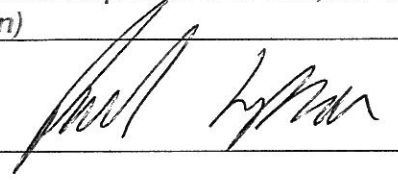
Internal Use Only


Reason Codes

A	X	G	
B	X	H	
C		I	
D		J	
E		K	
F		L	

REASON FOR EXEMPTION

To extend the engagement of Vanguard Consulting to do further work for the City Council up to the amount agreed by cabinet of £280,500. As the work was commenced under the Vanguard Method and no other provider can continue with this method other than Vanguard, it is more cost effective to continue with Vanguard than to tender for the whole service which would need to start again if a similar alternative method was used by another company. Vanguard have confirmed that they own the intellectual property rights to the 'Vanguard Method' and they do not license this method out to any other person or company. They are therefore the only provider that can continue with the further work required, and the negotiated procedure without notice has been applied accordingly.

ARE YOU REQUESTING A SUSPENSION DUE TO A LACK OF RESPONSE FROM A TENDER / QUOTATION EXERCISE	YES	NO	See Note 2
HAVE YOU PREVIOUSLY ASKED FOR AN EXEMPTION FOR THIS PROJECT, IF SO PLEASE GIVE DETAILS OF EXEMPTION NO(S)	Exemption No(s): E-622 E-644	Value of Exemption request(s) £6,000 £133,834	Exemption Date(s) 15 th March 2010 8 th April 2010
ESTIMATED TOTAL VALUE OF PROJECT/ORDER	£140,666		
Requesting Officer			
SIGNED:		Date:	
<i>For Exemption requests over £50,000 then they must be authorised by your Head of Service (Before submission)</i>			
SIGNED: 		Date:	

Section 1. BACKGROUND INFORMATION (This information must be completed before any request is returned)		
AUTHORITY	Do you have authority to purchase the GOODS / SERVICES / WORKS stated in this Exemption	YES / NO
FINANCIAL IMPLICATIONS	Have the financial implications of this project been agreed with the Finance Division	YES / NO
FINANCIAL IMPLICATIONS AGREED BY: (This needs to be signed by Finance)	Name: 	
CONSULTANT(S) / CONSULTANCY COMPANIES (Note: Consultants should not be employed for more than 12 months) See note:12	Are you purchasing a Consultant / Consultancy Company	YES / NO
	Have you completed the Appointment of Agency Staff / Consultants / Interim managers Internal Request Form?	YES / NO AUTHORIZATION OBTAIN VIA CABINET REPORT ATTACHED
	You will need to provide a copy of the business case for the procurement of any consultant and/or consultancy company. (This information must be provided with your submitted Exemption Certificate).	
Contract Extensions	If your Exemption is for the extension of a current contract. You must provide a timeline of the re-tendering exercise.	Re-tendering exercise will start _____

After completing Section 1, please return to:
 Senior Procurement Officer
 Corporate Procurement Division
 Swann House, Boothon Road
 Stoke-on-Trent, ST4 4UJ

Section 2. COMMENTS OF CORPORATE PURCHASING & CONTRACTS

(To be completed by the Head of Corporate Procurement)

These are required to highlight any possible breaches in EU Procurement Regulations, other procedures, and the potential risk of action against the authority.

RISK LEVEL

Low Risk	
Medium Risk	✓
High Risk	
Do Not Proceed	

Comments

The Vanguard methodology is unique and it is on this basis that they have been procured via an exemption certificate.

It was clear from the outset that the City Council wanted to appoint Vanguard, given their reputation and the evidence of success of their approach elsewhere. It was on this basis that Council approval was secured.

Furthermore, the City Council has been successful in securing RfP funding to pay for the intervention and as a result, Council funding is not being

Recommendations

used to pay for the costs of appointing Vanguard.

Finally, early indications are that the intervention will deliver significant, ongoing savings, that will outweigh the original investment by (at least) 5 times. (see preliminary costing from Treasrc Report).

DIRECTOR OF BUSINESS SERVICES

~~Head of Procurement~~

SIGNED:

Paul Hyman

Date:

14/2/11.

Section 3 – CERTIFICATION AND AUTHORISATION

(To be completed and signed by the Director of the Department requesting exemption)

- I certify that compliance with Procedure Rules was not possible for the reason shown above.
- I confirm that all financial implications have been agreed with Finance Division.
- I confirm I have read the comments of the Head of Procurement.
- I understand and accept the implications that may arise from agreeing to this exemption.

DIRECTORS DECISION COMMENTS:

Approval of exemption request

Accept

Reject

SIGNED:

Date:

15/2/11

POSITION (Director)

Department:

CEX

[Signature]
Chief Executive Officer

IMPORTANT NOTES

1. Exemption Certificates should only be used in exceptional circumstances.
2. If you are requesting an exemption due to insufficient responses to a tender/quotation exercise you will only need to complete Sections 1 and 2.
3. Any exemption requests over £50,000 then Section 1 need to be signed by the appropriate Head of Service.
4. Exemption Certificates cannot be issued over the EU financial limits (please contact Corporate Procurement Division for the appropriate value).
5. You must not disaggregate the value of the contract just to obtain an exemption, as this is in breach of EU Law.
6. This Certificate and reference number can only be issued by Corporate Procurement Division.
7. This Certificate will be invalid if issued from any other source or not fully completed.
8. On completion of Section 1 you must return the document to Corporate Procurement Division for comment before certification and approval is given by your Director.
9. The document will be returned to you after comments have been made for certification by your Director or a person or persons authorised by him/her.
10. A copy of your completed Certificate must be returned to Corporate Procurement Division within 2 weeks of approval.
Corporate Procurement Division is located in SwannHouse.
11. No contracts or orders should be entered into before a fully completed Exemption Certificate has been signed by the Head of Procurement and appropriate Director.
12. The use of Exemption Certificates will be monitored.
13. If employing a consultant this arrangement should not last longer than 12 months. If the consultancy is required for a further period after the initial 12 months then you will need to re-submit another exemption request and business case to cover the extension. If the total value of the consultancy exceeds the OJEU limit then approval cannot be given.

