

**Request to Waive Contract Standing Orders**

CSO Rule 9.1 (to obtain 3 quotes) or Rule 10.1 (to obtain 3 tenders)

Notes:

1. The total number of potential events + cost must be aggregated to determine overall cost.
2. For waiver requests below £5k, the on-line compliance check-list should be used in “web basket”.
3. For waiver requests of £5k and above then FS323 should be completed and attached to “web basket” as appropriate, to provide additional information and approvals.
4. Waivers cannot be requested/approved for contracts valued over the relevant Regulation threshold, because exemptions from Public Contract Regulations 2015 are not allowed.
5. Delete “text” in italics once the form is complete

<b>Reference:</b>	EX 2011
<b>Originator:</b>	[REDACTED]
<b>Telephone No:</b>	[REDACTED]
<b>Date:</b>	19 <sup>th</sup> May 2020

<b>Subject:</b>	<b>REQUEST TO WAIVE CONTRACT STANDING ORDERS IN RESPECT OF:</b>
Training and Development Centre – RFTB Supervisory Control and Data Acquisition System	
<b>1. BACKGROUND</b> Explain the background circumstances	
<p>South Yorkshire Fire and Rescue (SYFR) make use of a realistic fire training building (RFTB) for operational crew to train in. The building has a number of scenarios, some of which involve burning of gas and combustible materials. These training scenarios are managed by a Supervisory Control and Data Acquisition (SCADA) system. Currently a separate Squirrel system is used for temperature monitoring during these scenarios as the existing SCADA system design did not incorporate this. The SCADA system has a life expectancy of five to seven years. The system in the SYFR RFTB is now around ten years old and as such is beyond its life expectancy. During day – to – day use of the facility, the existing SCADA system keeps ‘falling over’ and there are regular call outs to our maintenance contractor to come and repair the SCADA at short notice. This is costly and also disrupts the training programme for the facility. Replacing the existing system with a modern up-to-date one incorporating temperature monitoring is now considered essential.</p>	
<b>Proposed Supplier:</b>	KFT Fire Trainer GmbH
<b>Estimated Contract Value:</b>	£26,397.97
<b>Contract Start/End Dates:</b>	June 2020

## **2: REASON FOR THE REQUEST AND RECOMMENDED COURSE OF ACTION**

The report must give the reasons why the request is being made and explain the recommended course of action; including sufficient information to enable the relevant people to make a decision.

SYFR has considered how to procure the replacement SCADA System. Due to the complex nature of designing, building and commissioning the system together with the expected pressure on the facility once the COVID-19 lockdown is over, appointing a contractor that is not familiar with the RFTB and SYFR is considered a high risk option. Appointing our existing maintenance contractor KFT is considered a significantly lower risk option as they are familiar with SYFR, the RFTB and the SCADA design, build and commission process.

KFT have provided SYFR with a quotation price of £26,397.97.

There are other companies in the market that could build this system for SYFR however;

- There may be a conflicting opinion between the SCADA contractor and the maintenance contractor when it comes to the design, build and commission of the system.
- These conflicting views could increase cost and lead time.
- There are efficiencies to be gained by having the repairs and maintenance 'under one roof'.
- Under the current lockdown situation, it would be hard for a new contractor to familiarize themselves with how SYFR use the facility.
- The existing maintenance contractor is based less than one hour from the facility. If there were to be any problems with the SCADA system, it is likely that they would be able to react quicker than a contractor based further away (which the other contractors in this field are).

Once the SCADA system has been replaced, downtime of the training facility will be reduced. With a more reliable system, training can be better planned. This will be more important than ever once the COVID-19 lockdown has ended as the facility will need to be intensively used for the first new recruits course starting 18<sup>th</sup> May 2020, second new recruits course, getting all operational crew who have been unable to train during lock down back up to speed/ticket and for PPV3 training.

## **3. CONSEQUENCES IF THE PROPOSED ACTION IS NOT APPROVED**

A statement should be included explaining the consequences of the proposed action not being approved.

SYFR continue as we currently do – arranging maintenance visits every time the system 'falls over' until the system stops working completely one day. When this happens, the facility would be unable to function and we would need to order the SCADA system with a likely lead time of six – eight weeks.

**4. LEGAL IMPLICATIONS – to be complete by Procurement or Legal services**


South Yorkshire Fire and Rescue's Contract Standing Orders allow in exceptional circumstances the appropriate authorised officer or Executive Team to make the decision to waive Contract Standing Orders.

*What risks might the authority be exposed to?  
Is the recommended approach lawful and compliant with the principles of best practice?  
Would the approach withstand scrutiny?*


**Subject:** REQUEST TO WAIVE CONTRACT STANDING ORDERS IN RESPECT OF:

Insert name of project / procurement

**GATEWAY 1: PROCUREMENT TO CONSIDER ALL WAIVER REQUESTS**

Procurement Officer / Manager (print name)	D Nichols
Signed:	
Date:	28 May 2020
Comments:	Agreed that KFT should carry out the works and builders work is market tested  Dave

**GATEWAY 2: UP TO £25k – Relevant Officer/Manager      ABOVE £25k - Executive**

Authorised Officer (print name)	S booth
Signed:	
Date:	28 May 2020
Comments:	NA

**GATEWAY 3: £100,000 AND ABOVE - Barnsley MBC Treasurer**

<b>The request to waive Contract Standing Orders as endorsed above, is approved.</b>	
Print Name:	
Signed:	
On behalf of the South Yorkshire Fire and Rescue Authority	
Date:	
Comments:	