

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

Reference:	
Originator:	Steve Locking – ICT Manager
Telephone No:	0114 2532272
Email address:	slocking@syfire.gov.uk

Report of:	Steve Locking	Date:	07/05/2020
Subject:	REQUEST TO WAIVE / APPLY CONTRACT STANDING ORDERS IN RESPECT OF SYSTEL ESN REMEDIATION		
SYSTEL ESN REMEDIATION			
1. BACKGROUND Explain the background circumstances			
<p>A waiver is sought by the SYFR Information Technology team to remediate the SYFR Command and Control Mobilising System from SYSTEL without seeking further competition, to ensure the continuity of critical service provision in respect of Mobilising for the Emergency Response on all frontline fire appliances.</p> <p>SYFR already have SYSTEL embedded within its associated networks and systems and has the compatible hardware in place.</p> <p>SYSTEL are now contracted to deliver ESN from the Home Office as part of the ESMCP national programme</p>			
Name of Supplier:	SYSTEL		
Contract Value:	£395.606.78		
Contract Dates:	N/A One off Upgrade		
2: REASON FOR 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 and include sufficient information to enable the relevant people to make a decision.			

Systel are the sole provider of our Mobilising system and we cannot go out to market without going outside our existing contract until 2023.

The Home Office have commissioned Systel to develop the ESN technology on their system and we are the leading service in the implementation of this system. So the appointment of Systel is by Home Office instruction, and these are mandated funds.

3. CONSEQUENCES IF THE PROPOSED ACTION IS NOT APPROVED

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

The consequences of not completing the remediation of the system are the following:-

- **Unfair Competition** - If a procurement competition was advertised it would provide an unfair advantage to SYSTEL as it is already embedded within our systems and networks. Any specification would be a mirror image of what SYSTEL provides.
- **Cost** – The cost of seeking further competition, procuring new hardware, installation, training, testing, time, system and cost would mean a significant capital investment which is not available. The total costs of procuring a full new system provision are out of scope
- **Risk** – Changing to another provider would increase the likelihood of risk not only in terms of cost, training and lifecycle elements, it would also increase the likelihood of system vulnerability through transition and new system implementation. New hardware would need to be assessed for compatibility and would require significant input to ensure any new provision.
- **Home Office** – HO are relying on us to implement the system to be the benchmark for all other implementations around the country

4. LEGAL IMPLICATIONS

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.

Subject:

REQUEST TO WAIVE / APPLY CONTRACT STANDING ORDERS IN RESPECT OF SYSTEL ESN REMEDIATION

SYSTEL ESN REMEDIATION

GATEWAY 1: PROCUREMENT TO CONSIDER ALL WAIVER REQUESTS

Procurement Officer / Manager (print name)	[REDACTED]
Signed:	[REDACTED]
Date:	12 May 2020
Comments:	

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

Authorised Officer (print name)	s booth
Signed:	[REDACTED]
Date:	12 May 2020
Comments:	

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

The request to waive Contract Standing Orders as endorsed above, is approved.	
Print Name:	Neil Copley
Signed:	[REDACTED]
On behalf of the South Yorkshire Fire and Rescue Authority	
Date:	28 May 2020
Comments:	