

**Oldham Borough Council  
Record of Decision**



1. **TITLE:** Interim Contract Direct Award – Provision of Water Quality Services for the Control of Legionella including Sampling, Subsequent Reporting, Treatment & Maintenance of Water Systems

2. **SERVICE AREA:** Place Directorate

3. **PURPOSE OF DECISION**

Part A: Requirement for an exemption under rule 21.3 (j) “Where continued provision of Supplies, Works or Services is required for an additional period and this can be justified, for example where a service review includes the intention to co-terminate relevant Contracts within a reasonable period with all exceptional circumstances to be objectively evidenced in the exemption request to enable the decision maker to reach an informed and reasonable decision in the circumstances.” of the Contract Procedure Rules (CPRs) to waive the procurement procedures under rule 4 of the CPRs, which would enable a direct award of a contract to be considered under Part B.

Part B: Subject to approval of the proposed exemption under Part A, appoint Pure-Tech (UK) Ltd. to provide Provision of Water Quality Services for the Control of Legionella including Sampling, Subsequent Reporting, Treatment & Maintenance of Water Systems on Council assets for a period of 12 months.

4. **DECISION MADE BY:** Executive Director of Place/Deputy Chief Executive -

5. **DECISION:**

RESOLVED - That:  
Part A

In accordance with rule 21.3 (j) of the Contract Procedure Rules, approve:  
an exemption to the procurement procedures prescribed under rule 4 of the Contract Procedure Rules to allow for a direct contract award without competition to be made to Pure-Tech (UK) Ltd. to deliver those services detailed in this report.

Part B

Subject to the approval of the requested exemption under Part A,

1.

To directly appoint and to enter into a contract with Pure-Tech (UK) Ltd. for a period of 12 months for Provision of Water Quality Services for the Control of Legionella including Sampling, Subsequent Reporting, Treatment & Maintenance of Water Systems on Council assets with a maximum contract value of £40,000 including VAT.

2.

Approve the budget required for the proposed 12-month period

3.

Approve the appointment of Pure-Tech (UK) Ltd. and authorise the completion of necessary contract documentation, so that the Council can enter into a Contract with Pure-Tech (UK) Ltd. for the proposed Contract.

4.

Delegate authority to the Borough Solicitor to carry out all necessary legal formalities.

6. **REASON FOR DECISION**



Part A: Requirement for an exemption under rule 21.3 (j) “Where continued provision of Supplies, Works or Services is required for an additional period and this can be justified, for example where a service review includes the intention to co-terminate relevant Contracts within a reasonable period with all exceptional circumstances to be objectively evidenced in the exemption request to enable the decision maker to reach an informed and reasonable decision in the circumstances.” of the Contract Procedure Rules (CPRs) to waive the procurement procedures under rule 4 of the CPRs, which would enable a direct award of a contract to be considered under Part B.

Part B: Subject to approval of the proposed exemption under Part A, appoint Pure-Tech (UK) Ltd. to provide Provision of Water Quality Services for the Control of Legionella including Sampling, Subsequent Reporting, Treatment & Maintenance of Water Systems on Council assets for a period of 12 months.

**7. ALTERNATIVE OPTIONS CONSIDERED**

None - not to allow interim contracts. This would put the Council at greater risk with contractors not having surety of contract and set contract terms

**8. INTERESTS AND NATURE OF INTERESTS DECLARED**

None

**9. PRINCIPAL GROUPS CONSULTED:** N/A

**10. DOCUMENT CONSIDERED:** N/A