



## North Devon Council

MeetingDate

### Request for Waiver

1. NAME AND JOB TITLE OF OFFICER REQUESTING WAIVER:

Adam Tape, Head of Governance

2. TITLE OF PROPOSED CONTRACT:

Harbour wall insurance / Marine package insurance

The proposed contract for the above will be between £12,000 (inc VAT) and £120,000 (inc VAT).

With this RFW I include a copy of the specification or brief which has been prepared for this contract and which details the goods, services and/or works which will be provided.

To provide marine insurance, which includes harbour wall cover (1<sup>st</sup> loss limit), additional marine liabilities cover, removal of wreck and pollution clean-up.

I can also confirm that the contract terms which will be used for this contract will be the insurance policy wording and Insurers Terms of Business Agreement, working alongside the Council's standard terms and conditions for goods and services or (where relevant) works or, where this is not the case, I have sought the approval of Legal Services to the alternative terms and conditions that I propose to use for this contract.

In accordance with paragraph 12 of the Council's Contract Procedures Rules, quotations should be obtained from more than one supplier using a request for quotation (RFQ) and the quote evaluated as successful, in compliance with the evaluation criteria in the RFQ, should be accepted. In the alternative officers may consider running an open tender process in accordance with paragraph 13 of the Contract Procedure Rules.

I can confirm that I have sought all relevant procurement advice and consider that it is appropriate that this requirement be waived for the following reason:

#### **Only one compliant quote was returned**

**NOTE:** This form, and the decision, must be kept on file and properly recorded for audit purposes.

It is a legal requirement that details of the contract being procured pursuant to this RFW must be included on the Council's Contract Register. A copy of this RFW and details of the contract awarded must be sent to [supplyingndc@northdevon.gov.uk](mailto:supplyingndc@northdevon.gov.uk) immediately following approval.



### 3. NOTIFIABLE BELOW THRESHOLD CONTRACTS

Please check the box if your contract is of a value **over £30,000 (inc VAT)**. In accordance with the note below, while information should be provided anyway, it is of utmost importance, to ensure compliance with law, to notify [supplyingndc@northdevon.gov.uk](mailto:supplyingndc@northdevon.gov.uk) with details of the contract awarded as soon as possible where this box is checked.

### 4. THE PROPOSAL IS TO AWARD THIS CONTRACT TO THE FOLLOWING SUPPLIER:

Chaucer Group

### 5. DETAIL

6. I can confirm that, despite non-compliance with the requirements of paragraph 12.1 of the Contract Procedure Rules the award of this contract to the above supplier will be best value for the Council for the following reason(s):

The Broker, Bishopsgate Insurance, undertook market testing however only one reasonable quote was obtained. This is the summary from approaching the following underwriters:

Markel – Did indicate premium, but way too high at approximately GBP250K

BMM P&T – Declined as out of appetite

TT Club - Declined as out of appetite

AIG - Declined as out of appetite

The outcome was also reviewed by an independent consultant, Abingdon Risk Consulting, who deemed it as cost effective as possible. Without a track record of insurance as being in place, a risk becomes much more difficult to place. Once a track record of cover is in place, it should be much easier to “test” the market, in order to optimise the deal as now proposed.

#### Quotation 1:

*Does the quotation conform to the provided specification? Y*

*(If no, please provide detail)*

*Supplier Name: Chaucer Group*

*Quotation Price: £38,000 +Insurance Premium tax and VAT. This premium can be adjusted based on no claims discount or loss ratios. The premium / cover is for a 12 month period.*

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7. DECISION TO BE MADE BY: Jon Triggs, Director of Resources and Deputy Chief Executive (Chief Financial Officer)

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To be completed by Decision Taker:

8. REQUEST FOR WAIVER AUTHORISED BY DECISION TAKER?: Yes

9. DECISION TAKER'S COMMENTS: Broker undertook market testing, however only one compliant quote returned. Quote was independently reviewed and deemed cost effective as outlined above.

10. DATE OF DECISION: 31/03/2025

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