

MINUTES OF URGENT DECISIONS MEETING HELD ON FRIDAY, 18TH MARCH, 2022, 1.30 - 1.35 PM

PRESENT: Councillor Peray Ahmet, Leader of the Council.

In attendance: Mark Stevens, Assistant Director Direct Services, and Fiona Rae, Acting Committees Manager.

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. CALL-OFF AGREEMENTS FOR THE PROVISION OF HIGHWAYS AND TRANSPORT CONSULTANCY SERVICES

The Leader of the Council considered the report which sought approval for the Assistant Director Direct Services to enter into three non-binding call-off agreements, with an aggregated value not exceeding £1m per annum, across all three named service providers on Lot 3 (Transport and Engineering Services) of the 2021 Ealing Highways and Transportation Services Framework ("Framework"), in accordance with Contract Standing Order (CSO) 7.01 b. It was noted that each call-off would be in accordance with the Framework terms and conditions, which was in order of supplier ranking. The Framework had a duration of four years, expiring 31 October 2025. Therefore, the maximum permissible aggregated value of contracts per borough under Lot 3 would be £4m.

It was noted that having three separate call-off facilities enabled the Council to respond and mobilise transport and engineering services more rapidly, without the need to obtain further approvals from Cabinet for any individual awards above £500k. All expenditure under this Framework would be within the Environment and Neighbourhood Directorate's allocated budgets for the individual services and works.

In response to a question from the Leader, it was noted that the arrangements would be used in order to call on additional resources in situations where external specialism was required or where something could not be delivered within Highways and Parking and there was a need for additional resources.

The Leader RESOLVED

To approve the Council entering into three individual non-binding call-off agreements with the following service providers:

- a) Project Centre Ltd
- b) Gutteridge, Haskins and Davey Ltd, and
- c) WSP UK Ltd

up to an aggregated value not exceeding £1m per annum, across all three named service providers above on Lot 3 (Transport and Engineering Services) of the 2021 Ealing Highways and Transportation Services Framework Contract, until its expiry on 31 October 2025, in accordance with Contract Standing Order (CSO) 7 .01 b. (selecting one or more 'contractors' from a framework) and CSO 9.07 1 d) (contracts valued over £500k may be awarded by Cabinet) and CSO 16.02.

Reasons for decision

There are occasions when internal resources are not able to deliver services in addition to their current work programme, given the fluctuating workload and availability of funding. It is more cost-effective to make use of external consultancy services to cater for such peaks in the work programme.

Having a flexible call-off arrangement under the Framework enables the Council to respond quickly to unforeseen events and reduces the resources and effort required to undertake procurements and expediate the Council's governance processes.

Alternative options considered

Doing nothing is not an option, bearing in mind the need for additional professional and technical resources to ensure the delivery of the extensive highway and traffic related programmes required over the next few years.

Whilst an option would be to separately tender for the required additional services, this would represent an avoidable drain on resources when frameworks already exist that are accessible to the Council.

The contractual arrangements described in this report are intended to ensure that the Council can access the needed professional and technical support. Whilst the Council will keep alternative procurement strategies under review, the use of the contracts let by Ealing Council have historically been used extensively by other London Boroughs and have proved to be a cost-effective option due to the resulting economies of scale.

The Chair of Overview and Scrutiny has agreed that the decision is both reasonable in all the circumstances and that it should be treated as a matter of urgency for the following reasons:

The call-off agreements referred to in the report are required in order for the Council to procure transport and engineering-related consultancy services and, if they are not in place before 1 April 2022, the implementation of next year's works programmes for Highways and Parking Services will be significantly delayed. Due to the call-off agreements under the framework crosscutting three Cabinet Member portfolios, it became apparent that the Leader would be required to give approval rather than one Cabinet Member doing so.

Given the above, and the need to ensure the delivery of works programmes, it is not practicable to comply with the 28-day notice requirement in Part Four, Section D, Rule 13 of the constitution or the 5-day notice period requirement for key decisions. This is set out in Part Four, Section D, Rule 16, of the Constitution. As set out below, the decision is urgent and time critical in accordance with Part 4 Section H paragraph 18 (a) and 18 (b).

Please be advised that the Chair of Overview and Scrutiny has further agreed that the call-in procedure shall not apply to this urgent decision. This is because the decision is urgent and any delay in implementation caused by the call-in procedure would seriously prejudice the Council's or the public's interests as the contracts need to be in place by 1 April 2022 and a delay would prevent the Highways and Parking Service from seeking the delivery of transport and engineering-related services that the internal resource is currently unable to provide. Given that the scale of work that the Cabinet committed to on 8 March 2022 in relation to the investment plans for 2022/23 for Highways and Street Lighting, Parking, Flood Water Management and Road Danger Reduction, any delay in the commissioning of work through the proposed call-off agreements would seriously prejudice the Council's and/or the public's interests, given the improvements that these investment plans will deliver in Haringey in the forthcoming 12 months. The Chair of Overview and Scrutiny Committee has agreed that the decision is both reasonable in all circumstances, and that it should be treated as a matter of urgency. This is in accordance with Part 4, Section H, and Paragraph 18 (a) and (b) of the Council Constitution.

LEADER: Cllr Peray Ahmet

Signed by Leader

Date ...22 March 2022.....