

**MINUTES OF THE EXECUTIVE PROCUREMENT COMMITTEE
TUESDAY, 14 NOVEMBER 2006**

Councillors Mallett (Chair), *Diakides, Haley, *B.Harris, Meehan and *Reith.

*Present

MINUTE NO.	SUBJECT/DECISION	ACTION BY
PROC17	<p>APOLOGIES FOR ABSENCE (Agenda Item 1)</p> <p>Apologies for absence were submitted by our Chair, Councillor Mallett (for whom Councillor B. Harris substituted) and Councillors Haley and Meehan (for whom Councillor Reith) substituted.</p> <p>In the absence of Councillor Mallett, Councillor Diakides took the Chair.</p>	
PROC18	<p>MINUTES (Agenda Item 4)</p> <p>RESOLVED:</p> <p>That the minutes of the meetings held on 18 and 25 July 2006 be approved and signed.</p>	HMS
PROC19	<p>CONTRACTUAL ARRANGEMENTS FOR SIX CULTURALLY SPECIFIC DAY CARE SERVICES (Report of the Director of Social Services - Agenda Item 6)</p> <p>We noted that the move away from fully paid block contracts, regardless of activity, towards variable block contracts the value of which was limited to activity, had been implemented on 1 April 2006 and that the effect of this change to date was £141,000 in savings for the Council.</p> <p>We also noted that the further change recommended in the report, away from block contracts and towards spot contracts might have further financial implications. It was anticipated that three of the providers might continue to operate at full capacity while the other three might not and savings on the full contract cost would fluctuate accordingly. However, as outlined in paragraph 11.2 of the interleaved report it was the Council's intention to increase support to the providers so that they could all develop their markets, purchasing from other local authorities as well Haringey. If successful, their businesses would flourish and the Council would have achieved Value for Money. We were advised that it was considered prudent to assume that annual savings would continue at a level of £141,000 p.a. although this figure might increase according to the number of spot contracts. All six contracts were tightly monitored for performance and financial efficiency and this would continue.</p> <p>We were disappointed at the absence of any equalities comments in the report given its purpose and noted that work was in hand on the development of a strategic approach to the provision of day care services.</p>	

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	<p>RESOLVED:</p> <p>That approval be granted to the change from existing block contracts for care to spot contracts linked to individual clients for the Cypriot Centre, Irish Centre, Chinese Centre, Asian Centre, Grace and ACLC (African-Caribbean Leadership Council), for the reasons outlined above with effect from January 2007.</p>	DSS
PROC20	<p>COOMBES HOUSE, LOWRY HOUSE, PROTHEROE HOUSE AND WILLIAM ATKINSON HOUSE - LIFT MODERNISATION WORKS (Report of the Director of Social Services - Agenda Item 7)</p> <p>Details of the contracts which were set out in the Appendix to the interleaved report were the subject of a motion to exclude the press and public from the meeting as they contained exempt information relating to the business or financial affairs of any particular person (including the Authority holding that information).</p> <p>In response to a question it was confirmed that the works would involve the loss of service for the residents for the on-site period of approximately 10 weeks and that special arrangements were proposed below for residents with mobility problems.</p> <p>RESOLVED:</p> <ol style="list-style-type: none"> 1. That, in accordance with Contract Standing Order 11, approval be granted to the award of the contract for lift modernisation works at Coombes House, Lowry House, Protheroe House and William Atkinson House to Apex Lifts Ltd. in the sum of £304,054 with a contract period of 30 weeks. 2. That the fees of £59,364 and the total cost of the project of £363,418 be noted. 	DSS
PROC21	<p>DECENT HOMES PROCUREMENT (Report of the Director of Social Services - Agenda Item 8)</p> <p>We noted the methods which had been adopted to appoint to separate framework agreements as follows -</p> <ul style="list-style-type: none"> • Decent Homes Constructor Partners to undertake the surveys, design and refurbishment of Council homes in four Areas within the Borough. These areas are known as Contract Areas and are currently named (subject to agreement) as Wood Green, Hornsey, North Tottenham, and South Tottenham. • Compliance Team (External Consultants) to act as Client Representatives undertaking the services of Project, Cost & Risk Management and Planning Supervisor (Health and Safety) across the Contract Areas. • Planned Preventative Maintenance (PPM) Constructor Partners to carry-out primarily external decorations and environmental works 	

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	<p>within the Contract Areas</p> <p>We also noted that the report was intended to inform us of the procurement activity currently underway which would eventually lead to the appointment of the above-mentioned framework agreements. The Decent Homes Constructor Partner(s) and Compliance Team(s) would be commissioned to ensure that the Council delivered the Department for Communities and Local Government (DCLG) Decent Homes target by 2010 (subject to legislative changes). The PPM Constructor framework would be commissioned to maintain the communal and external areas of the properties to ensure that Haringey fulfilled its Landlord obligations.</p> <p>Clarification having been sought as to why compliance consultants were to be engaged for the day to day management of the contractors rather than in-house staff being used, we were informed that the programme involved a massive investment over a short period of time which made this necessary. Lessons had been learned from recent problems of management of major contracts and Clerks of Works and Surveying functions remained in-house. In addition a new Head of Assets had recently been appointed.</p> <p>RESOLVED:</p> <p style="padding-left: 40px;">That the report and the three separate procurement streams outlined be noted.</p>	
<p>PROC22</p>	<p>APPOINTMENT OF DESIGN TEAM PARTNERS TO FRAMEWORK AGREEMENT (Report of the Acting Director of Finance - Agenda Item 9)</p> <p>We were informed that the Council had confirmed £178.72 million of Department for Education and Skills (DfES) funding from the Building Schools for the Future (BSF) programme, aimed at transforming the delivery of secondary education in the Borough. We were also informed that the programme required extensive design and build to deliver “inspiring environments”. A mix of new build and refurbishment / remodelling would be included in the package and a framework agreement of between 3 and 5 Design Team Partners would be appointed to deliver the design work.</p> <p>We noted the following revised comments of the Head of Legal Services which were tabled –</p> <p>‘The EU Directive on public procurement (the Consolidated Directive), as implemented in the UK by the Public Contracts Regulations 2006, allows local authorities to enter into framework agreements with contractors, and to select contractors for specific projects from the contractors with which framework agreements have been concluded.</p> <p>The BSF Design Team Partners framework agreement has been advertised in the Official Journal of the EU in accordance with the Public</p>	

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	<p>Contracts Regulations 2006 under the restricted procedure, which is procedure whereby expressions of interest are invited by way of advertisement in the Official Journal of the EU, with a selection of the contractors who have expressed an interest being invited to submit tenders.</p> <p>The Head of Legal Services has been light-touch monitoring the work of the Council's external legal advisers (Eversheds) in relation to the procurement of the BSF Design Team Partners framework agreement, and notes the progress to date on the procurement'.</p> <p>We also noted that Councillor Mallett (as Chair of our Committee) had agreed to a special meeting being held on 7 December for the purpose of approving the recommendations resulting from the evaluation of process.</p> <p>RESOLVED:</p> <ol style="list-style-type: none"> 1. That the appointment process undertaken to date as outlined in this report be endorsed. 2. That it be noted that a special meeting of the Executive Procurement Committee was to be held on 7 December 2006 for the purpose of approving the recommendations resulting from the evaluation process. 3. That it be noted that the Committee would be informed on a regular basis about the procurement activity being undertaken through the BSF programme. 	<p>HPr</p> <p>All to note</p>
<p>PROC23</p>	<p>REVIEW OF CONTRACT STANDING ORDERS (Report of the Acting Director of Finance - Agenda Item 10)</p> <p>RESOLVED:</p> <p>That consideration of the report be deferred to the special meeting of the Committee on 7 December 2006.</p>	<p>HPr HMS</p>
<p>PROC24</p>	<p>NEW ITEM OF URGENT BUSINESS – OLDER PEOPLES SERVICES RESIDENTIAL PROVISION – WAIVER AND AWARD OF CONTRACTS (Report of the Director of Social Services – Agenda Item 11)</p> <p>Our Chair agreed to accept the report as urgent business. The report was late because of the need to complete necessary consultations. The report was too urgent to await the next meeting because any delay in the decision making process would lead to providers releasing care beds for older people to other local authorities.</p> <p>We noted that the report sought our agreement to a waiver of Contract Standing Order 6.04 (Requirement to Tender) which required that</p>	

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	<p>competitive tendering processes be carried out for the letting of contracts for the provision of residential and nursing care for older people. We also noted that it was intended to bring to us for approval all awards of contracts for residential and nursing care for older people.</p> <p>Concern was expressed about the commissioning strategy for older peoples residential provision generally and for the need for a more strategic approach in the context of the review of services for the elderly. Disquiet was also voiced about how it was ensured that the block contracts proposed would be appropriate and represent value for money for the Council.</p> <p>We were informed that an exercise was being undertaken by the Commissioning Service to predict the capacity for beds needed both internally and externally. It was envisaged that the outcome would be increased demand for dementia care and nursing care beds. Once this work had been completed the Service would be seeking to establish block contracts with a number of providers to give stability in the market and ensure that the Council had access to supply at a fair price to both the Borough and providers.</p> <p>RESOLVED:</p> <ol style="list-style-type: none"> 1. That, in accordance with Contract Standing Order 7.03(d), approval be granted in principle to a waiver of Contract Standing Order 6.04 for the letting of contracts for the provision of residential and nursing care for older people until 31 December 2007 with an option to extend this period for up to six months should the need arise. 2. That all awards of contracts for residential and nursing care for older people be submitted to our Committee for approval. 	<p>DSS</p> <p>DSS</p>
<p>PROC25</p>	<p>MINUTES (Agenda Item 13)</p> <p>RESOLVED:</p> <p>That the exempt minutes of the meeting held on 25 July 2006 be approved and signed.</p>	<p>HMS</p>

ISIDOROS DIAKIDES
In the Chair