
Cabinet Procurement Committee

THURSDAY, 16TH SEPTEMBER, 2010 at 18:00 HRS - CIVIC CENTRE, HIGH ROAD, WOOD GREEN, LONDON N22 8LE.

MEMBERS: Councillors Goldberg (Chair), Bevan, Kober and Reith.

AGENDA

1. APOLOGIES FOR ABSENCE (if any)

2. URGENT BUSINESS

The Chair will consider the admission of any late items of urgent business. Late items will be considered under the agenda item where they appear. New items will be dealt with at item 18 below. New items of exempt business will be dealt with at item 27 below.

3. DECLARATIONS OF INTEREST

A member with a personal interest in a matter who attends a meeting of the authority at which the matter is considered must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

A member with a personal interest in a matter also has a prejudicial interest in that matter if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the member's judgment of the public interest **and** if this interest affects their financial position or the financial position of a person or body as described in paragraph 8 of the Code of Conduct **and/or** if it relates to the determining of any approval, consent, licence, permission or registration in relation to them or any person or body described in paragraph 8 of the Code of Conduct.

4. MINUTES

To confirm and sign the minutes of the meeting of the Procurement Committee held on 22 July 2010.

5. EXPANSION OF RHODES AVENUE PRIMARY SCHOOL FROM TWO TO THREE FORM ENTRY - CORRECTION TO RECORD OF BUILDING CONTRACT AWARD

(Report of the Director of the Children and Young Peoples' Service): To seek approval to amend Minute PROC.23 by correcting the name of the contractor awarded for the Rhodes Avenue Primary School Expansion project.

Note by Head of Local Democracy and Members Services

Because of the need to progress the matter in advance of the next available meeting of the Committee the Director of the Children and Young Persons Service secured the approval of the amendment following consultation with the Leader under the Special Urgency arrangements set out in paragraph 18 of Section H of Part Four of the Constitution. The concurrence of the Chair of the Overview and Scrutiny Committee was also obtained.

6. DEPUTATIONS / PETITIONS / PRESENTATIONS / QUESTIONS

To consider any requests received in accordance with Standing Orders.

7. IT STRATEGY 2010-13 - PROCUREMENT APPROACH

(Report of the Director of Corporate Resources): To inform Members of the planned approach to procurement to be taken within the IT Strategy 2010-13.

8. IT STRATEGY 2010-13 - HARDWARE FRAMEWORK AGREEMENT

(Report of the Director of Corporate Resources): To seek authority to use the specified Framework Agreements for the procurement of IT Hardware for the delivery of the IT Strategy 2010-13 and for business as usual.

9. FURTHER UPDATE ON THE PROCUREMENT OF THE WASTE MANAGEMENT CONTRACT

(Report of the Director of Urban Environment): To inform Members of the progress of the procurement of the new contract for the Council's 'Collection of Waste and Recycling, Street Cleansing and other Environmental Services'.

10. BROADWATER FARM LIFT IMPROVEMENTS

(Report of the Director of Urban Environment): To seek Member's approval to award the contract for lift replacement works at Broadwater Farm Estate. **NOT AVAILABLE AT TIME OF COLLATION**

11. MUSWELL HILL LOW CARBON ZONE HOME ENERGY RETROFIT SCHEME

(Report of the Director of Urban Environment): To seek Member's approval to award the contract for the home energy retrofit scheme to deliver the Muswell Hill Low Carbon Zone. **NOT AVAILABLE AT TIME OF COLLATION**

12. FRAMEWORK AGREEMENT FOR THE PROVISION OF CLEANING SERVICES FOR THE SCHOOLS WITHIN THE LONDON BOROUGH OF HARINGEY

(Report of the Director of the Children and Young Peoples' Service): To seek approval for the award of a framework for the provision of cleaning services for the schools within the London Borough of Haringey.

13. AWARD OF CONTRACT FOR THE FOOD SUPPLIES OF GREEN GROCERY FOR COUNCIL CATERING SERVICE

(Report of the Director of the Children and Young Peoples' Service): To seek approval to award a Framework Agreement to allow the Council's catering service to 'call off' supplies from the Framework through a purchase order issued to the highest scoring company which will then form a contract between the Catering Service and the supplier.

14. SUPPORTING PEOPLE - WAIVER AND AWARD OF CONTRACT - HARTS FOR FAMILIES

(Report of the Director of Adult, Culture and Community Services): To seek approval to a waiver of Contract Standing and to the award of a contract for the provision of a floating support service for vulnerable families in Haringey.

15. TERMINATION OF MAJOR ADAPTATIONS FRAMEWORK CONTRACTOR

(Report of the Director of Adult, Culture and Community Services): To inform Members of the termination of the appointment of a framework contractor providing disabled adaptations to the residents of Haringey.

16. OFFICE STATIONERY - AWARD OF CONTRACT

(Report of the Director of Corporate Resources): To seek approval to award a contract for the provision of office stationery for Haringey Council.

17. REPORT ON THE IMPLEMENTATION OF CONSRUCTIONLINE

(Report of the Director of Corporate Resources): To seek approval of the proposal to implement pre-qualified lists of specialist works contractors to be managed by Constructionline and the Council's Construction Procurement Group. **NOT AVAILABLE AT TIME OF COLLATION**

18. NEW ITEMS OF URGENT BUSINESS

To consider any items admitted at item 2 above.

19. EXCLUSION OF THE PRESS AND PUBLIC

The following items are likely to be the subject of a motion to exclude the press and public as they contain exempt information relating to the business or financial affairs of any particular person (including the Authority holding that information).

Note from the Head of Local Democracy and Member Services

Items 20 – 26 allow for consideration of exempt information in relation to items 10 - 17 where appropriate which appear earlier on this agenda.

20. BROADWATER FARM LIFT IMPROVEMENTS

(Report of the Director of Urban Environment): To seek Member's approval to award the contract for lift replacement works at Broadwater Farm Estate. **NOT AVAILABLE AT TIME OF COLLATION**

21. MUSWELL HILL LOW CARBON ZONE - HOME ENERGY RETROFIT SCHEME

(Report of the Director of Urban Environment): To seek Member's approval to award the contract for the home energy retrofit scheme to deliver the Muswell Hill Low Carbon Zone. **NOT AVAILABLE AT TIME OF COLLATION**

22. FRAMEWORK AGREEMENT FOR THE PROVISION OF CLEANING SERVICES FOR THE SCHOOLS WITHIN THE LONDON BOROUGH OF HARINGEY

(Report of the Director of the Children and Young Peoples' Service): To seek approval for the award of a framework for the provision of cleaning services for the schools within the London Borough of Haringey.

23. AWARD OF A CONTRACT FOR THE FOOD SUPPLIES OF GREEN GROCERY FOR THE COUNCIL CATERING SERVICE

(Report of the Director of the Children and Young Peoples' Service): To seek approval to award a Framework Agreement to allow the Council's catering service to 'call off' supplies from the Framework through a purchase order issued to the highest scoring company which will then form a contract between the Catering Service and the supplier.

24. TERMINATION OF A MAJOR ADAPTATIONS FRAMEWORK CONTRACTOR

(Report of the Director of Adult, Culture and Community Services): To inform Members of the termination of the appointment of a framework contractor providing disabled adaptations to the residents of Haringey.

25. OFFICE STATIONERY - AWARD OF CONTRACT

(Report of the Director of Corporate Resources): To seek approval to award a contract for the provision of office stationery for Haringey Council.

26. REPORT ON THE IMPLEMENTATION OF CONSTRUCTIONLINE

(Report of the Director of Corporate Resources): To seek approval of the proposal to implement pre-qualified lists of specialist works contractors to be managed by Constructionline and the Council's Construction Procurement Group. **NOT AVAILABLE AT TIME OF COLLATION**

27. NEW ITEMS OF EXEMPT URGENT BUSINESS

To consider any items admitted at 2 above.

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and Member Services
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8 September 2010.

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MINUTES OF THE CABINET PROCUREMENT COMMITTEE
THURSDAY, 22 JULY 2010

Actions arising from Cabinet Procurement Committee are monitored and progress reported by Corporate Procurement. Officers must therefore ensure that all actions assigned to them, are fully addressed and signed off with the Contracts Management Officer in the Corporate Procurement Unit.

Councillors *Goldberg (Chair), *Bevan, *Kober and *Reith

*Present

MINUTE NO.	SUBJECT/DECISION	ACTION BY
PROC15.	DECLARATIONS OF INTEREST (Agenda Item 3) Councillor Bevan declared a personal interest in respect of the following items – <ul style="list-style-type: none"> Item 15 – North Tottenham Decent Homes Programme - Phase NT15 Item 16 – South Tottenham Decent Homes Programme – Phase ST16 Item 17 – Wood Green Decent Homes Programme – Phase WG18 	HLDMS
PROC16.	MINUTES (Agenda Item 4) RESOLVED That the minutes of the meetings held on 21 June and 6 July 2010 be approved and signed.	HLDMS
PROC17.	SOCIAL CARE SPOT CONTRACTS 1 APRIL 2009 - 31 MARCH 2010 (Report of the Director of Adult, Culture and Community Services - Agenda Item 6) We were informed that the report was for information and was required by the Committee's terms of reference in order to provide a summary of spot contracts for each financial year, comparing activity to the previous financial year. The report covered the financial year 2009/10, and compared it to the previous financial year 2008/09. We noted the benchmarking information against other London local authorities with regard to value for money with particular emphasis on comparison with London authorities that had achieved three star status for performance of adult social care. We also noted that there had been a change in the number of social care spot contracts from the end of 2008/09 to 2009/10, and a change in cost. In response to concern expressed about the increase in the cost of spot contracts for the period covered by the report we were informed that all service providers had been awarded a 2% inflationary uplift from 1 which had April 2009 the impact of which was to add to the value of spot purchased placements	

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	<p>across all provision for clients in services in both 2008/09 and 2009/10. Other key areas of change included, within Learning Disabilities services, an overall increase caused by transition into adult services from children's services, which was spread across residential, supported living and day opportunities services.</p> <p>Also, an increase in the number and value of spot purchased day services in Learning Disabilities, supporting a move towards managing more complex community based services resulting from transition together with a small increase in the number of homecare packages spot purchased by learning disabilities, and higher use of respite to give carers a break had added to the value. Reduced capacity in the internal learning disabilities residential respite provision for a short period due to refurbishment had also resulted in some respite placements having to be spot purchased and additional clients resulting from transition had resulted in an increase in the cost of spot purchased residential placements in learning disabilities.</p> <p>We were further informed that for both learning disabilities and mental health services, changes in need had impacted on the cost of placement more significantly than in the previous year with an increase in spot purchase of supported living placements in mental health services, as move-on plans for mental health users in long stay residential were effected. The value of mental health residential placement spot purchase had also increased largely because of a fire at a private residential home which had resulted in the transfer of 7 service users to alternate residential care as spot contracts.</p> <p>In response to a question about NHS Haringey contributions we were informed that across learning disabilities and mental health, through the S28A agreement (joint funding arrangements), some £8.3 million was achieved in income in NHS contributions either joint or full for spot purchased placements and packages.</p> <p>We were also informed that the Care Funding Calculator was being introduced by Adults Services for Adults Mental Health and Learning Disabilities to effectively contain and manage down the current commissioning overspend in these areas. This was a pan-London 'pricing tool' that had been used effectively elsewhere in the South East to reduce the spend on Learning Disability and Adult Mental Health placement costs. Disquiet having been voiced about the practice of other centrally located boroughs purchasing social care placements in Haringey thereby increasing costs and leaving the Council as an importer of clients we asked that a briefing note be prepared for the Leader to enable her to raise the matter at London Councils</p> <p>RESOLVED:</p> <p>That the report be noted.</p>	DACCS
PROC18.	<p>SUPPORTING PEOPLE CONTRACT EXTENSION - KEY SUPPORT (Report of the Director of Adult, Culture and Community Services -</p>	

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	<p>Agenda Item 7)</p> <p>We noted that the current contract with for the floating support had an expiry date of no later than April 2011, with no further provision for extension.</p> <p>Clarification having been sought about the quality of the service provided and whether it constituted value for money given that the contract had originally commenced in April 2004 since which time it had not been subjected to a tender process, we were informed that the Service had carried out market research which had showed that similar surrounding boroughs also engaged the current contractor One Support for this service provision. By negotiation, the annual contract value had been reduced and it was considered to be in the Councils best interest to extend the contract rather than undertake a re-tendering exercise which was unlikely to return the level of savings identified. The significant saving reported would be realised without detriment to the quality of the service or the numbers of vulnerable people that would be supported.</p> <p>With greater numbers of people being supported for shorter period of time – single interventions – the provider would demonstrate significant improvements in quality of service and ‘throughputs’ which would represent better value for money on the contract. The contract would be performed with recognition of LAA targets and quarterly PI workbooks and annual monitoring review meetings would continue throughout the life of the contract.</p> <p>RESOLVED:</p> <ol style="list-style-type: none"> 1. That In accordance with Contract Standing Order 13.02 approval be granted to a variation to allow for a reduction in the annual contract price for floating support from £1.4 million to £950,000 with effect from 1 August 2010 and to the extension of the contract term so that it expired 2 years after 1 August 2010. 2. That it be noted that the cost of the contract will be met from the Supporting People Programme Grant. 	DACCS
PROC19.	<p>WAIVER AND AWARD OF SUPPORTING PEOPLE CONTRACT - HOME IMPROVEMENT AGENCY (HIA) (Report of the Director of Adult, Culture and Community Services - Agenda Item 8)</p> <p>We noted that the Haringey Care and Repair Scheme had been established in partnership with the Metropolitan Housing Trust (MHT) in 1991 with the aim of providing advice and technical service to clients requiring repairs, improvements and adaptation to their homes. The service was targeted at elderly and disabled home owners and private tenants in Haringey. We also noted that the existing provider brought match funding to the service through the Supporting People programme grant.</p>	

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	<p>RESOLVED:</p> <ol style="list-style-type: none"> 1. That in accordance with Contract Standing Order 13.02 approval be granted to a waiver of the requirement to tender on the grounds that HIA was the only accredited provider in borough and that it was in the Council's overall interest so to do. 2. That in accordance with Contract Standing Order 11.03 approval be granted to the award of a new contract in respect of the Home Improvement Agency to Metropolitan Housing Trust (MHT) for two years from 1 August 2010 to 31 July 2012. 3. That it be noted that the total value of the contract would be £265,890 over two years (£132, 945 per annum.) 	<p>DACCS</p> <p>DACCS</p>
PROC20.	<p>ADOPTION OF THE COMPETEFOR PORTAL (Report of the Director of Corporate Resources - Agenda Item 9)</p> <p>We noted that the policy would maintain the Council's position at the forefront of procurement best practice in terms of making contracts available to local and small companies. The Council was committed to implementing the recommendations of the HM Treasury report "Accelerating the SME economic engine - through transparent, simple and strategic procurement". CompeteFor would allow the Council to put into practice almost all of these recommendations.</p> <p>The use of CompeteFor would give Corporate Procurement a new insight into cross-Council procurement with reports provided on a regular basis containing valuable information that would increase the Corporate Procurement Unit's ability to monitor procurement and make strategic decisions based on the data. It would also increase transparency and assist the ability to undertake audits.</p> <p>RESOLVED:</p> <p>That approval be granted to the implementation of a policy whereby the CompeteFor portal would be used to</p> <ol style="list-style-type: none"> a. advertise the following types of opportunity – <ul style="list-style-type: none"> • open tender procedure, • restricted tender procedure, • requests for quotations; and b. shortlist bidders when using a restricted procedure and an open non-OJEU procedure. 	<p>DCR</p>
PROC21.	<p>FRAMEWORK-i SOCIAL CARE CASE MANAGEMENT SYSTEM (Report of the Director of Corporate Resources - Agenda Item 10)</p> <p>We noted that Frameworki was a social services case management</p>	

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	<p>system used by Adult Services and Children and Young People's Service and the contract for the Managed Service Agreement was let in March 2004 for a period of 7 years following a fully compliant EU tender.</p> <p>We also noted the annual cost of the contract and that the contract incorporated a clause allowing the extension of the contract by up to 3 years. The performance by Corelogic over the term of the contract had been monitored and managed by both IT Services and the Frameworki IT team and was considered acceptable.</p> <p>RESOLVED:</p> <ol style="list-style-type: none"> 1. That in accordance with Contract Standing Order 13.02 approval be granted to an extension of the managed service agreement with Corelogic Ltd. for the Frameworki Social Care Case Management System for a period of 3 years. 2. That it be noted that the annual cost of the contract was £409,008 totalling £1,227,024 for the full 3 year extension. 	DCR
PROC22.	<p>EDUCATION POST 16 PLACE FUNDING (Report of the Director of the Children and Young People's Service - Agenda Item 11)</p> <p>We noted that as the Young People's Learning Agency would be contracting directly with WBL providers and colleges for 2010-11 this item had been withdrawn.</p>	
PROC23.	<p>EXPANSION OF RHODES AVENUE PRIMARY SCHOOL FROM TWO TO THREE FORM ENTRY (Report of the Director of the Children and Young People's Service - Agenda Item 12)</p> <p>The Appendix to the interleaved report was the subject of a motion to exclude the press and public from the meeting as it contained exempt information relating to the business or financial affairs of any particular person.</p> <p>We noted that the report sought our approval to appoint a contractor for the building contract of Rhodes Avenue Primary School Expansion and to the issuing of a letter of acceptance prior to formal contract signature for 10% of the contract value.</p> <p>RESOLVED:</p> <ol style="list-style-type: none"> 1. That in accordance with Contract Standing Order 11.03 approval be granted to the award of the building contract for the Rhodes Avenue Primary School expansion to Balfour Beatty Refurbishment Ltd. on the terms and conditions set out in the appendix to the interleaved report. 2. That approval be granted to the issue of a letter of acceptance at 10% of the contract value. 	<p>DCYPS</p> <p>DCYPS</p>

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<p>PROC24.</p>	<p>PARK ROAD LEISURE CENTRE POOL - HALL REFURBISHMENT AND FILTRATION REPLACEMENT (Report of the Director of Adult, Culture and Community Services - Agenda Item 13)</p> <p>The Appendix to the interleaved report was the subject of a motion to exclude the press and public from the meeting as it contained exempt information relating to the business or financial affairs of any particular person.</p> <p>We noted that the report had sought our approval to the award the contract for the refurbishment of Park Road Leisure Centres' pool hall and associated mechanical and electrical infrastructure including a waiver of Contract Standing Order 8.04 and to the award of the contract for the replacement of the indoor swimming pool filtration system at Park Road Leisure Centre. However, because of budgetary constraints it was now proposed to proceed with a number of essential Health and Safety requirements that would need to be undertaken in order to keep the facilities open. These included replacement of the filtration system, fire alarm and public address system as well as other works to the integrity of the electrical and hot water systems.</p> <p>RESOLVED:</p> <ol style="list-style-type: none"> 1. That approval be granted to a waiver of Contract Standing Order 8.04 in respect of the tender process for the replacement of the indoor pools filtration system which had taken place without advertising but rather by inviting bids from a selection of contractors on the ground that this was in the Council's overall interests. 2. That in accordance with Contract Standing Order 11.03 and subject to confirmation of funding approval be granted in principle to the award of the contract for the replacement of the indoor pools filtration system to Europools Ltd. in the sum of £512,188.00 with a construction period of 16 weeks based upon the work commencing in September 2010 and being completed by January 2011. 3. That the total estimated cost (including professional fees and estimated fluctuations) in the sum of £544,968.03 be noted. 	<p>DACCS</p> <p>DACCS</p>
<p>PROC25.</p>	<p>OFFICE REMOVALS - AWARD OF CONTRACT (Report of the Director of Corporate Resources - Agenda Item 14)</p> <p>The Appendix to the interleaved report was the subject of a motion to exclude the press and public from the meeting as it contained exempt information relating to the business or financial affairs of any particular person.</p> <p>We noted that the office removals contract had expired in May 2010 and that the work covered by this contract included the relocation of furniture, equipment and sundries in relation to property rationalisation (particularly</p>	

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	<p>in relation to SMART working) and Council service re-organisations. The contract also supports Electoral Services' election process.</p> <p>A restricted tender process for the new Framework Agreements had been carried out by advertisement in the Official Journal of the European Union (OJEU) and had been advertised on the Council's website. The Framework agreement would consist of three contractors. Six valid tenders had been received and evaluated in line with the criteria set out in the ITT based on 60% quality and 40% price. Regular Contract review meetings would be held with the contractor appointed to monitor performance using feedback from users of the service.</p> <p>RESOLVED:</p> <p>That in accordance with Contract Standing Order 11.03 approval be granted to the award of a four year framework agreement for office removals to –</p> <ul style="list-style-type: none"> • Crown Promotions (main contract) • G W Twilley • MJF Business 	DCR
PROC26.	<p>NORTH TOTTENHAM DECENT HOMES PROGRAMME 2010/11 - PHASE NT15 (Report of the Director of Urban Environment - Agenda Item 15)</p> <p>Councillor Bevan declared a personal interest in this item by virtue of being Chair of the London Housing Consortium.</p> <p>The Appendix to the interleaved report was the subject of a motion to exclude the press and public from the meeting as it contained exempt information relating to the business or financial affairs of any particular person.</p> <p>We noted that the report set out a detailed programme of works, which related to various properties in the North Tottenham Area, known as NT15 within the delivery of the Decent Homes Programme. The works outlined in the report, dates of commencement and completion were subject to funding and programming by agreement of the contracting parties and, as such, the report sought our approval to award the contract for the works in this Project.</p> <p>RESOLVED:</p> <ol style="list-style-type: none"> 1. That in accordance with Contract Standing Order 11.03 approval be granted to the award of the contract for Phase NT15 of the Decent Homes Programme to Lovell Partnerships on the terms and conditions set out in the Appendix to the interleaved report and that the Agreed Maximum Price (AMP) excluding fees as detailed be noted. 2. That finalisation of the award, including confirmation of funding and satisfactory completion of the leaseholder consultation and 	<p>DUE</p> <p>DUE</p>

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	<p>planning approval processes, be delegated to the Director of Urban Environment</p> <p>3. That it be noted that the scheme was to be funded from the Decent Homes allocation subject to confirmation of funding.</p>	
PROC27.	<p>SOUTH TOTTENHAM DECENT HOMES PROGRAMME 2010/11-PHASE ST16 (Report of the Director of Urban Environment - Agenda Item 16)</p> <p>Councillor Bevan declared a personal interest in this item by virtue of being Chair of the London Housing Consortium.</p> <p>The Appendix to the interleaved report was the subject of a motion to exclude the press and public from the meeting as it contained exempt information relating to the business or financial affairs of any particular person.</p> <p>We noted that the report set out a detailed programme of works as it relates to various properties known as ST16 with a start date to be confirmed. As such, the report was seeking our approval to award the contract and proceed with the works in this Phase.</p> <p>RESOLVED:</p> <ol style="list-style-type: none"> 1. That in accordance with Contract Standing Order 11.03 and subject to the confirmation of funding approval be granted to the award of the contract for Phase ST16 of the Decent Homes programme to Apollo Group Ltd. and that the Agreed Maximum Price (AMP) excluding fees as detailed be noted. 2. That finalisation of the award, including confirmation of funding and subject to there being no issues arising from the planning approval, be delegated to the Director of Urban Environment. 3. That it be noted that the scheme was to be funded from the 2010/11 Decent Homes allocation. 	<p>DUE</p> <p>DUE</p>
PROC28.	<p>WOOD GREEN DECENT HOMES PROGRAMME 2010/11 - PHASE WG 18 (Report of the Director of Urban Environment - Agenda Item 17)</p> <p>Councillor Bevan declared a personal interest in this item by virtue of being Chair of the London Housing Consortium.</p> <p>The Appendix to the interleaved report was the subject of a motion to exclude the press and public from the meeting as it contained exempt information relating to the business or financial affairs of any particular person.</p> <p>We noted that the report sought our approval to a detailed programme of works, which related to various properties in the Wood Area, known as WG18 within the delivery of the Decent Homes Programme. We also</p>	

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	<p>noted that the dates of commencement and completion of the works outlined in the report were subject to funding and programming by agreement of the contracting parties.</p> <p>RESOLVED:</p> <ol style="list-style-type: none"> 1. That in accordance with Contract Standing Order 11.03 and subject to confirmation of funding approval be granted to the award of the contract for Phase WG18 of the Decent Homes Programme to Mulalley & Co. Ltd. and that the Agreed Maximum Price (AMP) as detailed be noted. 2. That finalisation of the award, including confirmation of funding and of satisfactory completion of the leaseholder consultation and planning approval processes, be delegated to the Director of Urban Environment. 3. That it be noted that the scheme was to be funded from the Decent Homes allocation subject to confirmation of funding. 	<p>DUE</p> <p>DUE</p>
PROC29.	<p>AWARD OF FRAMEWORK AGREEMENTS FOR THE SUPPLY AND INSTALLATION OF FURNITURE ITEMS TO COUNCIL MANAGED TEMPORARY ACCOMMODATION (Report of the Director of Urban Environment - Agenda Item 18)</p> <p>The Appendix to the interleaved report was the subject of a motion to exclude the press and public from the meeting as it contained exempt information relating to the business or financial affairs of any particular person.</p> <p>We noted that the report outlined the procurement exercise carried out in relation to a framework agreement to provide furniture to properties in the Councils Temporary Accommodation Portfolio and recommended the award of framework agreements to 3 contractors who had been successful following a competitive tender.</p> <p>RESOLVED:</p> <p>That in accordance with Contract Standing Order 11.03 approval be granted to the award of framework agreements for the provision of furniture in respect of Temporary Accommodation to the contractors –</p> <ul style="list-style-type: none"> • Finefair Consultancy • Elegance Furniture • Myers Ideal Supplies 	<p>DUE</p>

The meeting ended at 19.15 hours

JOE GOLDBERG
Chair

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RECORD OF DECISION TAKEN UNDER URGENCY PROCEDURES OR DELEGATED AUTHORITY

All requests for action to be taken in accordance with established urgency procedures or delegated authority must be accompanied by an appropriate report setting out all relevant considerations, in particular legal and financial considerations, and with a clear recommendation[s] for action, in order for an appropriate decision to be taken in accordance with the provisions of current legislation.

Log No. 05-2010/11

Ward(s) affected

Alexandra Ward

Title of Report : Expansion of Rhodes Avenue Primary School from two to three form entry – Correction to Record of Building Contract Award

Reason for urgency or
relevant paragraph for authority under scheme of delegation:

To amend Minute PROC. 23 (2010/11) of the Procurement Committee meeting held on the 22nd July 2010 by correcting the name of the contractor awarded for the Rhodes Avenue Primary School Expansion Project.

Decision of Chief Officer

I approve the recommendation as set out in the attached report.

Signature



Date 24/8/10

Concurrence of Leader/Cabinet Member

I concur with the above decision.

Signature



Date

27th August 2010

Once signed by the Chief Officer this cover sheet together with the substantive report must be forwarded to the Cabinet Committees Team - Level 7, River Park House - for processing. All requests for action to be taken in accordance with urgency procedures must be dealt with in this way to ensure that the Council complies with the necessary legal requirements. Thank you for your co-operation.



Haringey Council

Agenda item:

[No.]

Report to Procurement Committee

16th September 2010

Report Title. Expansion of Rhodes Avenue Primary School from two to three form entry – Correction to Record of Building Contract Award

Report of : Peter Lewis, Director of the Children and Young People's Service

Signed :

Contact Officer : Claire Barnes

Telephone: 020 8489 1962

Wards(s) affected: **Alexandra Ward**

Report for: **Key Decision**

1. Purpose of the report (That is, the decision required)

- 1.1. To amend Minute PROC. 23 (2010/11) of the Procurement Committee meeting held on the 22nd July 2010 by correcting the name of the contractor awarded for the Rhodes Avenue Primary School Expansion Project.

2. Introduction by Cabinet Member (if necessary)

- 2.1. As a local education authority one of our key responsibilities is to provide sufficient primary school places. Increasing pupil numbers across the borough has meant that we need to find a considerable number of new places to meet demand. The expansion of Rhodes Avenue school is part of our strategy to provide the necessary places. The school is popular and doing well and demand for additional places is high in the local area.
- 2.2. I am confident that the procurement process has been properly followed and the necessary consultation has taken place. I am happy therefore to support he

recommendations in this report.

3. State link(s) with Council Plan Priorities and actions and /or other Strategies:

The project at Rhodes Avenue is designed to contribute to the Council's overall plan for the provision of sufficient primary pupil places in the borough to meet local need. The current pupil place plan indicates the need for between 4 and 6 additional forms of entry (FE) across the borough by 2011, and there is continued strong local demand in the area surrounding Rhodes Avenue. Statutory consultation was undertaken in 2009 to expand the school from 2FE to 3FE.

3.1. The design applies the five principles of the Primary Strategy for Change:

- Principle One – We want the children to enjoy their learning and to make good progress
- Principle Two – We want to promote learning through access to greater opportunities for all within the community
- Principle Three – We want to secure the health and well-being of our children and young people and safeguard their welfare, especially the more vulnerable
- Principle Four – We want to further develop the leadership capacity in our schools
- Principle Five – We want to integrate ICT throughout as part of the transformation of learning experiences for children, young people and the community.

3.2. The design and construction supports each of the seven Haringey Greenest Borough Strategy priorities in the following ways:

Priority One – Improving the Urban Environment:

- CO2 reduction for new build areas over 1,000 sq mtrs.
- Seek 60% carbon reduction for new builds.

Priority Two – Protecting the natural Environment:

- The landscaping design and bio-diversity has been actively managed to promote the development of local flora, fauna and wildlife. An Ecologist has been involved in generating the design and the landscaping proposal includes elements to promote biodiversity and ecological zones.
- Extended community use.

Priority Three – Managing Environmental Resources Efficiently:

- Within the school design, measures have been incorporated to minimise the utilities used on a daily basis, this includes minimising the use of water and

energy through the installation of:

1. Energy efficient fixtures and fittings
2. Air source heat pump offering a renewable energy source
3. Energy efficient systems for lighting and heating
4. Lighting will be provided through a combination of daylight sensors, passive detectors and switching
5. Rain water harvesting
6. Voltage Optimisation

Priority Four – Leading by example – managing the public sector sustainably:

- Aims to reduce energy usage and support best practice regarding use of equipment existing and new equipment.

Priority Five – Sustainable design and construction:

- With a combination of new and refurbishment, BREEAM very good will be achieved throughout.
- Only certified (COC) timber will be used in construction.
- A site waste management plan to national WRAP standards will be produced ensuring best practice in site construction management, including maximising the recycling of site construction waste within the project.

Priority Six – Promoting Sustainable Travel:

- The schools travel plan will be reviewed and updated and will continue to promote sustainable transport.
- A detailed traffic impact assessment has been completed and recommendations for road safety improvements are expected to be implemented from April 2011.

Priority Seven – Raising Awareness and Involvement:

- The design will incorporate visual displays/energy meters to highlight to staff and pupils the energy being used within the school. This data will also be accessible online through the building management system.

3.3 The design Supports the Children & Young People's Plan:

- The successful completion of this project will be instrumental in Haringey achieving the aims and objectives of the Children and Young People's Plan which are aligned with those in the national Children's Plan 2008-2010.
- The project will help deliver the Every Child Matters agenda and provide an opportunity to transform education in Haringey by delivering a school that our young people, our teachers and our local community will be proud of.

- The expansion of Rhodes Avenue will continue to support current extended services provision as well as providing greater opportunity of enhancing this provision.

3.4 In addition, the following principles are being addressed within the design:

- The Haringey Extended Services Schools Strategy
- CABE Design Quality Indicators

4. Recommendations

4.1. That approval be granted to the amendment of Minute PROC. 23 (2010/11) so as to award the building contract for Rhodes Avenue Primary School Expansion Project to Balfour Beatty Construction Scottish and Southern Limited who had successfully bid for this work.

4.2. That the wording of Minute PROC. 23 (2010/11) item 1 be varied to read as follows –

'That in accordance with Contract Standing Order 11.03 approval be granted to the award of the building contract for the Rhodes Avenue Primary School expansion to Balfour Beatty Construction Scottish and Southern Limited. on the terms and conditions set out in the appendix to the interleaved report'.

5. Reason for recommendation(s)

5.1. In order to enable the Council to enter into a contract for the building works for Rhodes Avenue Expansion Project.

6. Other options considered

6.1. A total of 8 contractors on the Framework Agreement for the provision of Major Works Construction Services were invited to tender for the works. One contractor declined during the tender period. Details of the submissions received were contained in the exempt appendix to the report to the Committee on 22nd July 2010.

7. Summary

Background

7.1. A tender submission for building contract works to Rhodes Avenue Primary School Expansion Project was received from a number of contractors from the

Haringey major Construction Works Framework Agreement including Balfour Beatty Construction Scottish and Southern Limited.

- 7.2. Following evaluation of the tenders a report was produced by the Children and Young People's Services and submitted to the Procurement Committee which met on the 22nd July 2010 recommending and seeking approval to appoint the successful bidding contractor.
- 7.3. The contractor submitted their tender on the 28th May 2010 under Balfour Beatty Refurbishment Limited. The contractor has acknowledged that this is their error and should have been submitted by Balfour Beatty Construction Scottish and Southern Limited.
- 7.4. The report erroneously referred to the company as Balfour Beatty Refurbishment Limited which is not on any of the Council's Framework Agreements and is not Balfour Beatty Construction Scottish and Southern Limited.
- 7.5. The Procurement Committee awarded the building contract of Rhodes Avenue Primary School Expansion to Balfour Beatty Refurbishment Limited, the company referred to in the Committee report and this decision was reflected in the minutes of the meeting. The minutes of the meeting are to be confirmed at the meeting of the 16th September 2010.
- 7.6. As the Council's Framework Agreement is with Balfour Beatty Construction Scottish and Southern Limited it is necessary for the decision shown in Minute PROC. 23 (2010/11) to be amended as to show the award of the contract for the Rhodes Avenue Primary School Expansion Project to Balfour Beatty Construction Scottish and Southern Limited, the contractor that successfully bid for the work.

8. Chief Financial Officer Comments

Not applicable

9. Head of Legal Services Comments

Not applicable

10. Head of Procurement Comments –[Required for Procurement Committee]

- 10.1. The Head of Procurement notes the need to formally amend the minutes to the correct name.

11. Equalities & Community Cohesion Comments

Not applicable

12. Consultation

Not applicable.

13. Service Financial Comments

13.1. It is not envisaged that the amendment proposed will of itself have any direct financial implications.

14. Use of appendices /Tables and photographs

Not applicable

15. Local Government (Access to Information) Act 1985

15.1. Background Papers

The following background papers were used in the preparation of this report:

Report of the Director of the Children and Young People's Services to the Procurement Committee on the 22nd July 2010 Rhodes Avenue Expansion Project from Two to Three Form Entry.

Minutes of the Procurement Committee meeting held on the 22nd July 2010.

The background papers are located at River Park House, 225 High Road, Wood Green, London, N22 8HQ.

To inspect them or to discuss this report further, please contact Richard Burbidge on 020 8489 2923.

Agenda item:

[No.]

Cabinet Procurement Committee

On 16 September 2010

Report Title. **IT Strategy 2010-2013 – Procurement Approach**

Report of **Director of Corporate Resources**

Signed :

Contact Officer : David Hatley, IT Services, Ext 3235

Wards(s) affected: **All**

Report for: **Non-Key Decision**

1. Purpose of the report (That is, the decision required)

- 1.1. To inform the Cabinet Procurement Committee of the planned approach to procurement to be taken within the IT Strategy 2010-2013 which was approved by the Cabinet on 13 July 2010.

2. Introduction by Cabinet Member

- 2.1. This report to Committee is for information purposes and sets out the proposed approach to procurement to deliver the IT Strategy 2010-2013.

3. State link(s) with Council Plan Priorities and actions and /or other Strategies:

- 3.1. Delivering High Quality, Efficient Services
- 3.2. A Cleaner, Greener Haringey
- 3.3. A Safer Haringey

4. Recommendations

4.1. That the contents of this report are noted.

5. Reason for recommendation(s)

5.1. This report is for information only.

6. Other options considered

6.1. Not applicable.

7. Summary

7.1. This report is to inform the Committee of ITS' planned approach to Procurement within the IT Strategy 2010-2013.

7.2. The IT Strategy 2010-13 sets out a clear vision for the IT activity that needs to be undertaken to deliver the strategic projects which address our current business priorities and the renewal of our IT infrastructure. The delivery of this strategy will be a key enabler in the modernisation of services to residents, improving the customer experience and supporting the realisation of the efficiency savings required in future years.

7.3. A series of projects and areas for investigation are proposed in the strategy. The strategy requires that each of the projects must have its own business case and be approved by the Corporate IT Board (CITB).

7.4. Within these projects, there is the need to procure IT hardware and software to deliver the services and achieve the benefits. The approach that will be taken to the procurement requirements is:

7.5. **IT Hardware i.e. servers, desktops and similar equipment.** The approach will be to procure via the Buying Solutions and the Eastern Shires Procurement Organisation (ESPO) framework agreements. These Framework Agreements are EC compliant and regarded as best value routes to selected IT Hardware suppliers. Within these frameworks there is the ability to undertake further competition amongst the Suppliers to ensure value for money.

7.6. Buying Solutions is a sub-division of the Office of Government Commerce (OGC) which is a central government department with a remit to enable value for money and increased efficiency regarding public sector procurement. OGC achieve these objectives by setting up a range of framework agreements covering goods, services and consultancy. These agreements are all awarded following full compliance with European Union Procurement Directives. Public sector organisations can access these agreements by following the protocols set out by

OGC for each framework agreement. ESPO is a joint Committee of Local Authorities and operates within the Local Government (Goods & Services) Act 1970. ESPO has framework arrangements for IT hardware which are open to all public sector organisations.

7.7. Appropriate authorisations in compliance with Council Standing Orders will be sought to subsequently use the Hardware framework agreements noted above.

7.8. **IT Infrastructure Software.** The approach will be to procure IT software via the existing IT Services Software Framework in the first instance, which enables competition between three IT software resellers. There is then an option to procure outside of this framework, where improved value is available, by using the Buying Solutions and ESPO framework agreements for software.

7.9. The IT Services Software Framework was previously approved by Procurement Committee on 30 September 2008 and runs until November 2011 with the option to extend for a further 12 months.

7.10. All procurements will be undertaken within the Council's Contract Standing Orders and any procurement which exceeds a contract value of £250,000 will be referred to the Procurement Committee for Award of Contract.

8. Chief Financial Officer Comments

8.1. The Chief Financial Officer was closely involved with the development of the IT Strategy and confirms that the funding to deliver the expected outcomes is in place.

8.2. The overall management and control of this expenditure will be managed in particular through the Corporate IT Board.

8.3. The overall procurement approach for required hardware and software proposed in this report should enable the delivery of best value.

9. Head of Legal Services Comments

9.1 The proposal for procuring IT hardware is to access external Framework Agreements set up by OGC Buying Solutions and Eastern Shires Procurement Organisation (ESPO). Contracts may be awarded by the Council either by direct call-off or mini-competition, depending upon the terms of the relevant Framework Agreement used.

9.2 Both OGC Buying Solutions and ESPO have the status of a central purchasing body ("CPB") as defined under the Public Contract Regulations 2006 ("PCRs"). The PCRs (reg. 22) allow local authorities to buy goods or services through a CPB. Once the CPB's procurement of a framework agreement is EU compliant, a purchase by the local authority via the CPB is also deemed EU compliant. Where IT Services has any doubt whether a specific framework it intends to use is EU compliant, it should seek all necessary information to confirm this from OGC Buying Solutions or ESPO and

consult Corporate Legal Services as necessary.

9.3 The proposal in relation to IT software is to procure via the Council's existing IT Services Framework in the first instance and then to utilise the OGC Buying Solutions and ESPO Framework Agreements. These are also permissible ways of procuring IT software.

9.4 All procurements will need to be carried out in compliance with the Council's Contract Standing Orders and formal contracts will need to be entered into. Corporate Legal Services should be consulted at the relevant time when each procurement is taking place.

10 Head of Procurement Comments

10.1 The procurement routes outlined in this report are fully compliant with Public Contract Regulations and offer value for money.

10.2 In addition, IT services are aware of new procurement techniques involving "reverse auctions", and which are permitted through the Buying Solutions route. Appropriate use of these new techniques could deliver greater discounts than traditional tendering and should therefore be used where possible, especially where Council volumes could be aggregated with other public sector bodies.

11 Equalities & Community Cohesion Comments

11.1 Equalities implications will be reviewed at the time of any procurement.

12 Consultation

12.1 Internal Consultation - The IT Strategy has been considered and approved by the Corporate IT Board. This involved a detailed review of the Infrastructure Strategy by a Corporate IT Board sub-committee and reviews of the Directorate IT Strategy with the individual Directorates. All feedback received during these reviews has been incorporated in the latest version.

12.2 External Consultation – The Society of IT Management (Socitm) has reviewed the strategy and commented that "...the IT Strategy is well structured and comprehensive.."

13 Service Financial Comments

- 13.1 Funding for the technical infrastructure renewal has been allocated and will be managed by IT Services reporting into the Corporate IT Board (CITB).

14 Use of appendices /Tables and photographs

- 14.1 None

15 Local Government (Access to Information) Act 1985

- 15.1 The following document has been used in the preparation of this report:
- 15.2 The Council's IT Strategy 2010-2013.

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Agenda item:

[No.]

Cabinet Procurement Committee

On 16 September 2010

Report Title. **IT Strategy 2010-2013 – Hardware Framework Agreement**

Report of **Director of Corporate Resources**

Signed :

Contact Officer : David Hatley, IT Services, Ext3235

Wards(s) affected: **All**

Report for: **Key Decision**

1. Purpose of the report (That is, the decision required)

- 1.1. For the Cabinet Procurement Committee to authorise the use of specified Framework Agreements for the procurement of IT Hardware for the delivery of the IT Strategy 2010-2013, and for business as usual.

2. Introduction by Cabinet Member (if necessary)

- 2.1. I support the request to use consortia frameworks to procure IT Hardware to deliver the IT Strategy, which was approved by cabinet in July, as this will support the Council in achieving value for money.

3. State link(s) with Council Plan Priorities and actions and /or other Strategies:

- 3.1. Delivering High Quality, Efficient Services
- 3.2. A Cleaner, Greener Haringey
- 3.3. A Safer Haringey

4. Recommendations

4.1. That approval be granted to IT Services' general procurement approach of using the Buying Solutions and Eastern Shires Purchasing Organisation (ESPO) framework agreements for the procurement of IT Hardware including servers, desktops and peripheral items.

5. Reason for recommendation(s)

- 5.1. The Buying Solutions and ESPO framework agreements are EC compliant and regarded as best value routes to selected IT Hardware suppliers.
- 5.2. Within these frameworks there is the ability to undertake further competition amongst the Suppliers to ensure value for money.
- 5.3. This will provide a range of suppliers to cover the majority of Council requirements whilst providing sufficient competition to maintain value for money without the time and expense of the full tender process.

6. Other options considered

- 6.1. Not applicable at this stage as framework agreements provide a value for money route to sourcing the Council's IT hardware requirements. However, during this period as and when other options become applicable (for example IT e-auctions or separate tenders) these will be considered and utilised as appropriate within the Council's Contract Standing Orders.

7. Summary

- 7.1. The IT Strategy 2010-13 sets out a clear vision for the IT activity that needs to be undertaken to deliver the strategic projects which address our current business priorities and the renewal of our IT infrastructure. The delivery of this strategy will be a key enabler in the modernisation of services to residents, improving the customer experience and supporting the realisation of the efficiency savings required in future years.
- 7.2. A series of projects and areas for investigation are proposed in the strategy. The strategy requires that each of the projects must have its own business case and be approved by the Corporate IT Board (CITB).
- 7.3. The IT Strategy will necessitate the procurement of IT Hardware to deliver its projects – servers, desktops (PC's, laptops etc) and peripheral equipment.
- 7.4. This report seeks Procurement Committee approval for a general procurement approach under which IT Services (on behalf of the Council) would use framework agreements set-up by Buying Solutions and ESPO to procure the supply of IT hardware.

- 7.5. Buying Solutions is a sub-division of the Office of Government Commerce (OGC) which is a central government department with a remit to enable value for money and increased efficiency regarding public sector procurement. The OGC achieve these objectives by setting up a range of framework agreements covering goods, services and consultancy. These agreements are all awarded following full compliance with European Union Procurement Directives. Public sector organisations can access these agreements by following the protocols set out by OGC for each framework agreement. ESPO is a joint Committee of Local Authorities and operates within the Local Government (Goods & Services) Act 1970. ESPO has framework arrangements for IT hardware which are open to all public sector organisations.
- 7.6. These framework agreements are regarded as best value routes to selected IT Hardware suppliers and there is the ability to undertake further competition amongst the Suppliers to ensure value for money.
- 7.7. Having a choice of framework agreements will enable IT Services to compare and obtain value for money from comparing prices and service delivery standards across the various framework agreements open to Local Government. Framework Agreements work in two ways; a direct call-off from a supplier's product price list, or a call for a mini-competition from suppliers listed under the agreement against a client specification. A contract is formed with the chosen supplier(s) on the terms and conditions contained within the framework agreement.
- 7.8. This route to procure IT hardware will also be used for business as usual and other project requirements. IT hardware procurement for schools is not included in this request as there are specific frameworks for this area.
- 7.9. All procurements will be undertaken within the Council's Contract Standing Orders and any procurement which exceeds a contract value of £250,000 will be referred to the Procurement Committee for Award of Contract.
- 7.10. It is proposed to utilise these Frameworks for a period of four years, covering the period of the IT Strategy, with an estimated spend of £6 million.

8. Chief Financial Officer Comments

- 8.1. The Chief Financial Officer was closely involved with the development of the IT Strategy and confirms that the funding to deliver the expected outcomes is in place and that the overall management and control of this expenditure will be managed in particular through the Corporate IT Board.
- 8.2. The recommended framework approach set out in this report for the purchase of hardware for the period of the Strategy should provide the mechanism to achieve value for money. As set out in paragraph 6, should alternative options materialise they will be considered and utilised as appropriate.

9. Head of Legal Services Comments

- 9.1. The report is recommending approval of a general procurement approach of using framework agreements set up by Buying Solutions (a sub-department of the Office for Government Commerce) and the Eastern Shires Purchasing Organisation (ESPO), over a period of 4 years.
- 9.2. Each of these bodies has the status of a central purchasing body ("CPB") as defined under the Public Contract Regulations 2006 ("PCR"). Reg. 22 of the PCR allows local authorities to buy goods or services through a CPB. Once the CPB's procurement arrangements are compliant with EU requirements, a purchase by the local authority through the CPB is also deemed EU compliant.
- 9.3. Buying Solutions frameworks are widely accepted to be EU compliant and ESPO usually sets up its framework agreements using a tendering process which it certifies as EU compliant. Where IT Services has any doubt whether a specific framework which it intends to use is EU compliant, it should seek all necessary information to confirm this from Buying Solutions or OGC and consult Legal Services as necessary.
- 9.4. Once the frameworks from which the Council is calling off contracts are EU compliant, the Council's use of the frameworks would be permissible under Contract Standing Orders (CSO). Under CSO 6.09(b), where the Council procures goods or services by selecting a contractor from a framework set up by a public sector body in accordance with EU rules, CSO do not apply except that the contract award must still be made under usual CSO procedures.
- 9.5. Provided call offs under the Buying Solutions and ESPO frameworks are done consistently with the protocols set up under these frameworks and on a best value basis, there are no legal reasons preventing use of this procurement approach.
- 9.6. The Head of Legal Services confirms that there are no legal reasons preventing Members from approving the recommendation in paragraph 4 of this report.

10. Head of Procurement Comments

- 10.1. The procurement routes outlined in this report are fully compliant with Public Contract Regulations and offer value for money.

11. Equalities & Community Cohesion Comments

- 11.1. Equalities implications will be reviewed at the time of any procurement.

12. Consultation

- 12.1. Internal Consultation - The IT Strategy has been considered and approved by the Corporate IT Board. This involved a detailed review of the Infrastructure Strategy by a Corporate IT Board sub-committee and reviews of the Directorate IT Strategy with the individual Directorates. All feedback received during these reviews has been incorporated in the latest version.
- 12.2. External Consultation – The Society of IT Management (Socitm) has reviewed the strategy and commented that “..the IT Strategy is well structured and comprehensive..”

13. Service Financial Comments

- 13.1. Funding for the technical infrastructure renewal has been allocated and will be managed by IT Services reporting into the Corporate IT Board (CITB).

14. Use of appendices /Tables and photographs

- 14.1. None

15. Local Government (Access to Information) Act 1985

- 15.1. None

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Haringey Council

Agenda item:

[No.]

Procurement Committee

On 16th September 2010

Report Title. A further update on the Procurement of the Waste Management Contract

Report of: Director of Urban Environment

Signed :

 31st August 2010

Contact:

Graham Jones, Environmental Resources
Graham.jones@haringey.gov.uk
 020 8489 3254

Wards(s) affected: All

Report for: Information

1. Purpose of the report

- 1.1 This is the third in a series of regular "for information only" reports designed to inform Members on the progress of the procurement of the new contract for the Councils "Collection of Waste and Recycling, Street Cleansing and other Environmental Services." The procurement is being undertaken following publication of an OJEU notice using the Competitive Dialogue process under the Public Contract Regulations 2006 and is expected to result in an Award of Contract recommendation to Cabinet in December 2010

2. Introduction by Cabinet Member (if necessary)

- 2.1 This is the third report to inform the Committee of progress made to date with this major procurement exercise. The award of the contract, designed

to save a minimum of £1.2 million per annum over a 14 year period will be a key decision. This is a major opportunity for Haringey to redefine its Waste Management and Cleansing Services to lift Haringey into top quartile.

3. State link(s) with Council Plan Priorities and actions and /or other Strategies:

- 3.1 Considering the strategic implications of a Waste Services Contract is key to understanding how this procurement will improve service performance and meet the policy objectives in Haringey's Sustainable Community Strategy and Greenest Borough Strategy. Bidders have been made aware that methodologies aimed at assisting the Council in achieving its strategic objectives will be a key phase of dialogue during the procurement.

4. Recommendations

- 4.1 That Members note the procurement procedure currently underway and progress made to date as outlined in this report.
- 4.2 That Members note that this is the third of a number of reports to be presented at Procurement Committee, scheduled at key stages of this procurement to keep Members informed of progress.
- 4.3 That Members note this procurement will eventually lead to seek Members' agreement as a key decision to award the contract for an Integrated Waste Management Contract with a total contract value per annum of approximately £17.5 million for a 14 year term with a possible extension for a further period of up to 7 years.

5. Reason for recommendation(s)

- 5.1 N/A

6. Other options considered

- 6.1 N/A

7. Summary

7.1 Cabinet approved on 15 July 2008 the Public Realm Commissioning Strategy, which included;

7.1.1 Agreement to let specialised contracts, one of which was to engage a single supplier to provide Collection of Waste and Recycling, Street Cleansing Services, Winter Maintenance and other Environmental Services including Graffiti and Fly posting Removal.

7.1.2 Agreement to undertake the procurement of this service using a Competitive Dialogue procedure, which allows the Council to gradually reduce the number of suppliers and bids as the process develops.

7.1.3 Agreement to extend the existing Integrated Waste Management & Transport contract with Haringey Enterprise Ltd. by 16 months to allow time for a thorough procurement process to be undertaken through Competitive Dialogue. This will mean that the new contract start date would be April 2011.

7.1.4 Agreement to review through the procurement process the benefits of various delivery models, including the development of a Strategic Partnership.

7.1.5 Agreement to establish a Cross Party Member Steering Group to review the programme as it develops.

7.2 The overall objectives that the Council is seeking to achieve in re-letting this contract are;

- Improved Performance and value for money
- Improved Public Perception of the Service being provided
- Efficiencies and cost savings through economies of scale
- Flexibility and Innovation in the way the services are delivered
- That Haringey becomes a top-quartile performer in London

7.3 Timescales and Budget

7.3.1 The intention of the procurement is to select a new supplier before the end of 2010, allowing a generous mobilisation period before the service start date of April 2011.

7.3.2 The Procurement team's intention is to provide regular, For Information reports, to Committee during the procurement phase.

7.3.3 Current service costs are approx £19m p.a.

7.4 Progress to date

- 7.4.1 Progress during the period from the formal OJEU Contract Notice on 29 April 2009 to mid January 2010 was reported to Members on 12 January 2010. In summary, this period included the following activities;

Activity	Date
OJEU Notice Published	29 April 2009
PQQ Return Date (10 Suppliers)	04 June 2009
Long list approved by Board (6 Suppliers)	22 June 2009
Invitation to Participate in Dialogue (IPD) issued	26 June 2009
IPD Responses received	12 Sept 2009
Short list approved by Board (3 suppliers)	09 Oct 2009
Invitation to Submit Detailed Solutions (ISDS) issued	15 Oct 2009

- 7.4.2 At the date of the last update to Members, the three remaining suppliers were developing their initial detailed solution bids. Initial Detailed Bids were received on 26th February 2010. Following receipt, there followed a period of detailed evaluation.
- 7.4.3 The detailed evaluation results were presented to Project Board on 10 May 2010 which resulted in approval of the final short-list of 2 suppliers, Enterprise and Veolia being invited into the final stage of dialogue
- 7.4.4 Dialogue with the final two suppliers aimed at refining bids prior to final bid submission is ongoing.

7.5 Next Steps

- 7.5.1 Dialogue with the two remaining bidders will continue until the Council are sure that bids are;
- Within the available budget for the programme
 - Achieve the Council's objectives, and
 - Are offered on an acceptable commercial basis.
- 7.5.2 Dialogue will then be formally closed and final bids invited.
- 7.5.3 Final Bids will be evaluated which will result in a recommendation of the preferred bidder to Cabinet

<p>8. Chief Financial Officer Comments</p> <p>8.1 At this stage of this major procurement exercise there is no financial implication to be reported.</p>
<p>9. Head of Legal Services Comments</p> <p>9.1 The procurement being undertaken is in compliance with the Council's standing orders and the EU Directive on public procurement (the Consolidated Directive), as implemented in the UK by the Public Contracts Regulations 2006.</p> <p>9.2 As this process is using the competitive dialogue procedure the process must adhere throughout the process to the Public Contracts Regulations 2006, in particular regulation 18.</p>
<p>10. Head of Procurement Comments</p> <p>10.1 This procurement is progressing as expected and within planned timescales.</p> <p>10.2 A sufficient number of suppliers were initially attracted to take part in the process and thus ensure competition. The competitive dialogue procedure is intended to gradually reduce these numbers over a period of time and the Council is currently engaged with the remaining two suppliers.</p> <p>10.3 Those suppliers that have been eliminated at each stage of the process have been formally notified in accordance with Regulations</p> <p>10.4 The next stage will be a key milestone, when Final Bids are evaluated and a preferred supplier is selected and reported to Cabinet for approval.</p>
<p>11. Equalities &Community Cohesion Comments</p> <p>11.1 Bidders' compliance with equalities legislation was assessed during the pre-qualification stage of the procurement and will be incorporated in the contract signed with the successful bidder.</p>
<p>12. Consultation</p> <p>12.1 Stakeholder Consultation is being undertaken at a number of levels;</p>

- 12.1.1 Public Consultation – a Council questionnaire was provided in the July 2009 issue of Haringey People, allowing all residents to make their views known. This resulted in the largest ever response to a public consultation in Haringey.
- 12.1.2 Trades Unions – Unions representing the staff providing the service currently are consulted formally once a month. They are kept up to date with the process and timescales and any key developments which will affect their members.
- 12.1.3 Staff – Meetings with depot staff, where the Environmental Resources procurement team and Personnel explained the procurement process and impact on staff took place in December 2009. Additional briefings are planned for September 2010.
- 12.1.4 London Mayor's Office – The GLA have approved the process to date and are being regularly updated on progress.
- 12.1.5 Homes for Haringey – as a contributor to the service costs, Homes for are consulted on a regular basis and are represented at Project Board.
- 12.1.6 Commercial Traders – a separate consultation is being undertaken with Traders in Haringey on their views on Trade Waste collection and recycling.
- 12.1.7 Member Advisory Group – has been established to ensure that Members from all Parties are aware of the process and progress.

13. Use of appendices /Tables and photographs

13.1 N/A

14. Local Government (Access to Information) Act 1985

14.1 [List background documents] N/A

14.2 [Also list reasons for exemption or confidentiality (if applicable)] N/A



Agenda item:

[No.]

PART-A

Cabinet Procurement Committee

On 16th September 2010

Report Title: **Framework Agreement for the Provision of Cleaning Services for the Schools within the London Borough of Haringey**

Report of **Peter Lewis, Director for Children and Young People's Service**

Signed :

Contact Officer: Luciana Frederick
Commissioning Manager, the Children and Young People's Service
Telephone: 0208 489 2840

Wards(s) affected: **All**

Report for: **Key**

1. Purpose of the report

- 1.1. To seek the Cabinet Procurement Members approval for the award of a framework for the provision of cleaning services for the Schools within the London Borough of Haringey.
- 1.2. The schools to 'call off' the framework through 'mini competition' to the contractors listed in Part B of this report.

2. Introduction by Cabinet Member

- 2.1. I am satisfied that the appropriate procedures have been followed and am happy to support the recommendations in this report. The mini framework will assist schools in achieving value for money,

<p>3. State link(s) with Council Plan Priorities and actions and /or other Strategies:</p> <p>3.1. Brighter futures for children and families – the cleaning service will help the schools to create a healthy environment for the students.</p> <p>3.2. A greener, cleaner and more sustainable future - To ensure that London Borough of Haringey have clean, hygienic schools.</p> <p>3.3. Spending wisely and investing in the future – The Framework Agreement for cleaning services will provide the Council with good quality of service and achieve value for money through mini competition process.</p>
<p>4. Recommendations</p> <p>4.1. That the Members approve the award of the four year framework for the provision of Cleaning Services for Schools within Haringey to the five contractors named in paragraph 1.1 of Part-B of this report.</p>
<p>5. Reason for recommendation(s)</p> <p>5.1. This framework will allow for cleaning services to be provided through the use of 'mini competition' with the contractors in Part-B of this report. This framework will be available for all schools to use if they so wish, without having to go through a full tendering process.</p>
<p>6. Other options considered</p> <p>6.1. There are no other options to be considered as Cleaning Services is an EU Part A Priority service and as the current total spend of the schools cleaning services are above the EU threshold of £156,443 per annum by not undertaking a full EU tendering process the schools may be open for challenges.</p>
<p>7. Summary</p> <p>7.1. A restricted process for the framework commenced by sending out a publication in the Official Journal of the European Union (OJEU). The advert was also placed on the Council's website, Competefor and www.Supply2Gov.</p> <p>7.2. As a restricted process was carried out through the Competefor portal. An electronic Pre Qualification Questionnaire (PQQ) was set up on the portal and interested parties completed it. Following the evaluation of references and documents relating to financial viability, Health and Safety, Equal Opportunity, Environment and Quality Assurance 11 Suppliers were selected for the Invitation to Tender (ITT) second stage process.</p> <p>7.3. Six companies submitted tenders. The tenders were evaluated by a member of staff from CYPS and another from CPU. Interviews were carried out with the six companies. The panel consisted of 1 member of CPU, Head teacher of</p>

Heartlands School, Head teacher of Haringey Sixth Form Centre, Facilities manager Sixth Form Centre and the Facilities Manager of Heartlands School.

- 7.4. An E-auction was carried out on 28th July 2010. The results of the E-auction which included 50% Quality and 50% Price resulted in the five contractors listed in paragraph 1.1 of Part-B being selected, the sixth contractor having withdrawn its tender (details of scoring are in Part B of this report).
- 7.5. The approval and award for the cleaning services for Heartlands School contract was signed off for a period of one year. This contract will commence on 1st September 2010 ready for the new school opening. This was done prior to the setting up of the Framework contract due to very tight timescales. Future requirements for Heartlands school will be met from the Framework by mini Competition.
- 7.6. As each and every individual contract is put in place with schools there will be separate specifications and tailored key performance indicators (KPI's) that will be monitored by the facilities manager or contract manager for that school.
- 7.7. Contract review meetings will be held with the contractor's on a monthly basis until the contractor has bedded in the operational strategy of the contract.

8. Chief Financial Officer Comments

- 8.1. Schools have delegated responsibility for the cleaning of their buildings and receive funding for this through their delegated budgets. Schools may choose to discharge their responsibilities in various ways including employing external contractors or employing in-house staff themselves. In determining their arrangements they should have regard to the achievement of value for money.
- 8.2. This framework contract will provide access to a limited number of contractors whom have been assessed for quality and other relevant issues described in the part B specification. Any school that chooses to use this framework will subsequently run a mini-competition to enable a price comparison to be made based on their specific requirements.

9. Head of Legal Services Comments

- 9.1 A tendering exercise has been conducted under EU procurement rules using the restricted procedure for the establishment of this cleaning services framework agreement.
- 9.2 Regulation 19 of the Public Contracts Regulations 2006 allows contracting authorities to enter into framework agreements with economic operators.
- 9.3 The Children and Young People's Service wishes to establish a framework agreement with the five economic operators listed in Appendix A based on the results of the tender conducted.

- 9.4 As the estimated value of the provision under the framework agreement is over £250,000, the award of the framework agreement is a key decision. Under Contract Standing Order 11.04, the framework agreement must be included in the Council's Forward Plan. This requirement has been met.
- 9.5 The Cabinet Procurement Committee has power under Contract Standing Order 11.03 (award of contracts over £250,000) to approve the award of the framework agreement.
- 9.6 The Head of Legal Services confirms that there are no significant risks preventing Members from approving the recommendation at paragraph 4.1 of the report.

10. Head of Procurement Comments –[Required for Procurement Committee]

- 10.1. Corporate Procurement have led this procurement process and support the recommendation
- 10.2. The framework will allow schools to achieve VFM outcomes by using mini competition within the Framework for their cleaning requirements.
- 10.3. The contract will be managed by CYPS to ensure that it continues to meet schools requirements,

11. Equalities &Community Cohesion Comments

- 11.1. Equalities principles were incorporated within the procurement process and the organisations equalities policy and procedures will be monitored as part of the contract management.

12. Consultation

- 12.1 Corporate Procurement Unit carried out the process in consultation meetings held with the Deputy Head teacher and Head teacher of Heartlands High School.
- 12.2 Corporate Procurement Unit also consulted Commissioning Manager from the Children and Young People's Service.

13. Service Financial Comments

- 13.1. See comments in 8.1 and 8.2, Chief Financial officer comments.

14. Use of appendices /Tables and photographs

- 14.1. This report contains Part-B which is not for publication.

15. Local Government (Access to Information) Act 1

15.1. This report contains exempt and non exempt information.

15.2. Exempt information is contained in Part B and is not for publication. The exempt information is under the following category (identified in the amended schedule 12A of the Local Government Act 1972 (3)): information relation to the financial or the business affairs of any particular person (including the authority holding that information)

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Haringey Council

Agenda item:

[No.]**Cabinet Procurement Committee****On 16th September 2010**

Report Title: Award of contract for the Food Supplies of Green Grocery for Council Catering Service	
Report of Director of the Children and Young People's Service	
Signed :	
Contact Officer:	Marianna Clune-Georgiou Head of Catering, Catering Service
Telephone:	020 8489 5769
Wards(s) affected: All	Report for: Key Decision
1 Purpose of the report 1.1 The purpose of this report is to seek approval for the award of a Framework Agreement to the successful suppliers named in Part B (Exempt information) of this report. 1.2 The Framework Agreement will allow for the Council's catering service to "call off" supplies from the framework through a purchase order issued to the provider able to provide the specific supplies and having the highest tender score. This order will form a contract between the Catering Service and the Supplier.	
2 Introduction by Cabinet Member 2.1 I am satisfied that the appropriate procedures have been followed and that the framework agreement will offer the best value for money.	
3 State links with Council Plan Priorities and actions and /or other Strategies: 3.1 The service contributes to the Council's following priorities: 3.1.1 (i) Haringey's Sustainable community Strategy, Priority 3 – A Healthy, Caring Haringey (ii) The Children and Young People's Strategic Plan 2009 – 2020 (ii) Every Child Matters (ECM) outcome – Be Healthy	

All meals are produced in Haringey schools to meet the Government's nutrient and food based standards. Schools are promoting and encouraging children and young people to eat healthy meals in order to improve student's attention span and their ability to concentrate in the classroom.

- 3.1.2 **Delivering excellent, customer focused, cost effective services:** Partnership working with colleagues within Eastern Shire Purchasing Organisation (ESPO) gives the council opportunities for collaborative procurement, which assist the local authority to achieve greater value for money.

4 Recommendations

- 4.1 Members to agree the award of the Framework Agreement to the successful tenderers named in Part B of this report as allowed under Contract Standing Order (CSO) 11.03 and in accordance with the recommendations set out in this report. The Framework Agreement will be awarded for a period of 3 years commencing from 1st November 2010 to 31st October 2013 with the option to extend for 1 further period up to 12 months.

5 Reason for recommendations

- 5.1 The current contract for the Food Supplies of Green Grocery for Council Catering Service Expires on 31st October 2010. It is imperative that the Council has a system in place to purchase quality products from a reputable supplier, to ensure that the meals served to the children and young people of the Borough are nutritionally compliant with the governments School Food Standards.
- 5.2 The successful organisations' tenders represent value for money for the Council in terms of cost, quality and environmental suitability.
- 5.3 The EU compliant Tendering exercise has been carried out by ESPO on behalf of Haringey Council.

6 Other options considered

- 6.1 The other option considered was for Haringey Council to carry out the EU tendering process. This was not feasible at the time due to other work commitments. It was also decided that ESPO have many years of experience in tendering food service requirements.

7 Summary

- 7.1 On behalf of the London Borough of Haringey, ESPO invited suppliers to tender for the Framework Agreement to cover the supply and distribution of Potatoes, Fruit and Vegetables in schools within the Borough. Other service areas within the Council may opt to take advantage of the Framework Agreement (namely social care but not exclusively).
- 7.2 The procedure was an open EU tender procedure. Prior Information Notice (PIN)

was placed on 8th December 2009, followed by an advert placed in Official Journal of the European Union (OJEU) on the 28th April 2010.

- 7.3 Two bids for inclusion on the Framework Agreement were received by the closing date of 25th May 2010.
- 7.4 The evaluation was based on 60% Price and 40% Non Price; non price refers to the ability of the provider to manage the contract and quality of service delivery.
- 7.5 The evaluation panel involved officers of ESPO and the London Borough of Haringey. Final scoring for both organisations is contained in Part-B of this report. The Framework was advertised for a maximum of 4 suppliers.
- 7.6 Performance and Sales related information will be supplied to Haringey Council and ESPO. ESPO will carry out contract monitoring meetings initially on a monthly basis until the Framework is bedded in.

8 Chief Financial Officer Comments

- 8.1 The total cost of this Framework Agreement is recovered through the price of school meals which is either in turn met by parents, or for those in receipt of free school meals, through resources delegated to schools in their budgets.
- 8.2 It is worth noting that the Framework Agreement value set out in this report is indicative based on the prices quoted and previous levels of consumption. To the extent that quantities vary the Framework Agreement value will also change although, as set out above, it will be met fully by 'contributions' and there is no overall risk to the Council's core budget.

9 Head of Legal Services Comments

- 9.1 The recommendation is to establish a framework agreement with two economic operators based on the results of a tender conducted by ESPO acting on behalf of the Council. In so acting, ESPO was also acting as a Central Purchasing Body ("CPB") as defined in the Public Contracts Regulations 2006 ("PCR").
- 9.2 The PCR (regulation 22) allows a CPB to set up a framework agreement for works, goods or services intended for other contracting authorities like the Council. Once the CPB's procurement is compliant with EU requirements, the contracting Council's procurement through the framework agreement is also deemed EU compliant.
- 9.3 ESPO has provided the Council with considerable information and reasonable assurances as to the compliance of their procurement of this framework with EU rules. See however the further comments in paragraph 3 of Part B of this report.
- 9.4 As the estimated value of the provision under the framework agreement is over

<p>9.5</p> <p>9.6</p>	<p>£250,000, the award of the framework agreement is a key decision. Under Contract Standing Order 11.04, the framework agreement must be included in the Council's Forward Plan. This requirement has been met.</p> <p>The Cabinet Procurement Committee has power under Contract Standing Order 11.03 (award of contracts over £250,000) to approve the award of the framework agreement.</p> <p>The Head of Legal Services confirms that there are no significant risks preventing Members from approving the recommendation at paragraph 4.1 of the report.</p>
<p>10</p> <p>10.1</p>	<p>Head of Procurement Comments</p> <p>ESPO has carried out a fully compliant EU tendering process on behalf of Haringey Council. The award of this framework as outlined in paragraph 3 of the Part B of this report represents the best value for money option.</p>
<p>11</p> <p>11.1</p>	<p>Equalities &Community Cohesion Comments</p> <p>Equalities principles were incorporated within the procurement process and the organisations equalities policy and procedures is monitored as part of the Council's contract management.</p>
<p>12</p> <p>12.1</p> <p>12.2</p>	<p>Consultation</p> <p>Consultation was held with ESPO and contract officer in Children's Services before and during the tendering process.</p> <p>User Feedback from relevant Council departments will be obtained throughout the life of the contract to ensure that the contract continues to meet the needs of all users and that the contract is fully utilised by other departments.</p>
<p>13</p> <p>13.1</p> <p>13.2</p>	<p>Service Financial Comments.</p> <p>The estimated annual cost of this contract is £233,000; the cost over a three year period will be £700,000. Total value if extended by a further year will be £933,000</p> <p>The annual spend last financial year across the local authority was £262,058.</p>
<p>14</p>	<p>Use of appendices /Tables and photographs</p>
<p>15</p> <p>15.1</p> <p>15.2</p>	<p>Local Government (Access to Information) Act 1985</p> <p>This report contains exempt and non exempt information.</p> <p>Exempt information is contained in Part B and is not for publication. The exempt information is under the following category (identified in the amended schedule</p>

12A of the Local Government Act 1972 (3) information relation to the financial or the business affairs of any particular person (including the authority holding that information)

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Agenda item:

[No 1]

Procurement Committee

on 16th September 2010

Report Title. **Supporting People (SP) – Waiver and Award of Contract
HARTS for families**

Report of: **Mun Thong Phung,**
Director of Adults, Culture & Community Services

Signed:

Contact Officer : **Nick Crago,**
Acting Head of Service,
Adults, Culture & Community Services.
Tel: 020 8489 3302
Email: nick.crago@haringey.gov.uk.

Wards(s) affected: **All**

Report for: **Key Decision**

1. Purpose of the report

1.1 Member's authorisation is sought to agree a waiver and award of a three year contract for the above service as allowed under CSO 13.02 in accordance with the recommendations set out in paragraphs 4 of this report.

2. Introduction by Cabinet Member

2.1 Contract discussions with the Support Provider have ensured efficiency savings over the next three years, and a reducing contract will enable a planned and incremental exit from the programme; which will allow the service to be sustained to as many people as possible and require that, where services are being re-modelled in other client group sectors, that alternative provision can be established.

3. State link(s) with Council Plan Priorities and actions and /or other Strategies:

3.1 Council Plan Priorities

- . Encouraging lifetime well being at home, work, play and learning
- . Promoting independent living while supporting adults and children in need
- . Delivering excellent customer focused cost effective services

3.1.1 The Supporting People (SP) programme specifically provides housing related support to the most vulnerable people in the Borough. Since the inception of the programme these have been categorised into several categories, which include Older People, Single Homeless, Homeless Families, People with Mental Health Problems, People with Learning Difficulties, People with Physical Disabilities, Young People at Risk, Young People Leaving Care, Teenage Parents, Women at risk of Domestic Violence and others

3.1.2 The Supporting People strategy (2005-10) co-ordinates and compliments the following Corporate strategies:

- Community Strategy
- Council Plan
- Wellbeing Strategic Framework
- Children and Young Peoples Plan
- Safer for all (Safer Communities Plan)
- Housing and Homelessness Strategies

3.1.3 The links with these strategies are encompassed into sector reviews and consultation with Corporate Strategic Partners in Commissioning Services, Community Safety and Housing as well as Statutory Partners in the PCT and London Probation. Senior Officers from representative departments continue to sit on the Supporting People Partnership Board (SPPB) and contribute to the governance of this programme.

3.1.4 The Supporting People team are located within the Adults, Culture and Communities Directorate and work closely with Commissioning Managers in Adult Services. A consistent approach is being taken with re-tendering and re-negotiating contracts, which include the development of Framework Agreements.

3.2 Creating a Better Haringey: cleaner, greener and safer

All re-tendering and re-commissioning of contracts include an explicit requirement for compliance, by Support Providers to Sustainable Procurement.

3.3 Promoting independent living while supporting adults (and children) when needed.

The Supporting People programme exists for vulnerable adults and, its very ethos is to promote independent living to some of the most vulnerable, insecure and socially excluded individuals, or groups, in the Borough.

3.4 Delivering excellent, customer focused, cost effective services.

The Supporting People programme has well established recognised, models of governance and monitoring for all services for which they are responsible. These include the completion of quarterly PI workbooks, Value for Money (VfM) assessments and Service Reviews, where the quality standards of the service are reviewed against a national framework (QAF). These are monitored against the Support Provider, for the duration of the Contract. Emphasis is being placed into the new Contract Specification on Performance Outcomes, linked to the Local Area Agreement (LAA) targets.

4. Recommendation

4.1 In accordance with CSO7.03 Members are asked to agree a waiver and award a new contract as detailed below:

(i) to allow for a staged reduction in the annual contract price from £2.8m to:
£2.5m (2010/11)
£1.7m (2011/12)
£1.7m (2012/13) with termination of the contract on 31 March 2013

(ii) to allow for a respective staged reduction of the capacity of the service over the same periods in line with the reducing contract value.

4.2 The cost of the contract will be met from the Supporting People Programme Grant.

4.3 Members approval is sought to waive the requirement to tender as allowed under CSO 7.03 (a) i.e. the nature of the market has been investigated and is demonstrated to be such that a departure from the requirements of CSOs is justifiable and CSO 7.03 (d) that it is in the Council's overall interest.

5 Reasons for Recommendation(s)

5.1 Given the advent of Personalisation, and the requirement for various flexible models of commissioning as well as, known budget pressures; a review of the service was carried out to ensure that floating support provision was fit for future purpose both in terms of service quality and value for money. The Review included Stakeholder and Service user consultation as well as market research with other Boroughs. Whilst this service presently has a captive market, it is not expected to be maintained with the implementation and integration of Individual Budgets into the future

5.2 Discussions with the Provider, have ensured that cash efficiency savings of £1.4m will be delivered over the two years 2010/11 and 2011/12.

- 5.3 By agreement with the Provider, the remainder of the reduced contract value of £1.7m will be phased to £0.00 throughout the financial year 2012/13 to the conclusion of the contract.
- 5.4 It is in the Councils best interest to waive tendering requirements and award a new contract to most effectively manage an exit programme from the service and obviate the need to re-tender, which will have limited appeal to potential providers and will not offer any efficiency savings.
- 5.5 The nature of the market for the service being provided has been investigated and is demonstrated to be such, that a departure from the requirements of CSO is justifiable
- 5.6 There is not a mature market for this type of provision on such a large scale so price comparisons are hard to make. The contract value reductions offered by the Provider are now more competitive when providing 2-3 hours of support per person per week and are unlikely to be bettered by open tendering particularly taking into account the fact that TUPE may apply if the service were transferred to a new provider
- 5.7 There are no floating support services of similar size in neighbouring London Boroughs
- 5.8 A new specification has been written to accompany the term of the new contract.
- 5.9 The contract will be performed with recognition of LAA targets. Quarterly PI workbooks and annual monitoring review meetings will continue throughout the life of the contract.
- 5.10 Existing services in the Council within Housing, Homes for Haringey and others that already receive Supporting People Grant for housing related support will be able to incrementally take referrals that cannot be received in a reduced capacity HARTS contract.
- 5.11 It is not expected that there will be a detrimental affect over the life of a planned three year exit strategy.
- 5.12 The new contract will have a specific break clause which permit the further reduction, or cessation of funding, to the Support Provider, if there is a reduction or cessation of funding in Supporting People Grant from Central Government, or through the Area based Grant allocation by Haringey Council.

6. Other options considered

- 6.1 Large scale re-tendering of the whole contract. The risk with this option is that

efficiency savings of the magnitude attained by discussion would not have been achieved. Furthermore there would have been little appeal to potential providers of bidding for a contract that was being exited from the programme.

- 6.2 Breaking up the contract and tendering for smaller areas. Through the review and consultation process this did not receive approval from stakeholders and again, because of the TUPE implications with new providers would not have realised the same level of savings as those attained by negotiation. The subsequent decision to terminate the contract in 2012/13 would have led to a very unsettling period of service delivery whilst new Providers established themselves and then dis-established themselves within the planned exit strategy.

7 Summary

- 7.1 HARTS is a floating support service for vulnerable families in Haringey which has been in operation since 2003. The purpose of the service is to provide a range of housing related support to families in their homes, particularly centred around tenancy sustainment.
- 7.1.1 The service has grown since its inception to encompass seconding workers to Haringey's Antisocial Behaviour Team, Hearthstone (domestic violence service) and Housing (Preventions and Options)
- 7.2 Support includes, but is not limited to, activities such as claiming welfare benefits, advocacy with financial institutions/utility companies, maintaining a tenancy, home support, access to community groups, promoting health & well-being and assisting families in obtaining more suitable accommodation.
- 7.3 The service is designed to empower people and to enable them to deal with their problems and develop skills to live independently.
- 7.4 Family Action are subcontracted by HARTS to deal with more challenging behaviour within families which jeopardises tenancy sustainment. Referrals are made, through HARTS, by Children's and Young Persons Service (CYPS).
- 7.5 Around 80% of clients self-refer to the service through 'word of mouth' after learning of the support that is made available.
- 7.6 A recent review of the service identified strong client and stakeholder support for the service and that quality standards, measured against the national Quality Assessment Framework (QAF) standard were good. However, it was also clear that staffing levels were being maintained within the contract envelope and there was no clear evidence of value for money, particularly considering the submitted budget information. There was also insufficient evidence to demonstrate a sustained demand for this service at the present rate and the effect that the Transforming Social Care Agenda will have on the future capacity and viability of

this service to continue at its present operational level.

- 7.7 The Council are in the process of implementing Accreditation of Residential, Domiciliary Care and Support Providers with a view to engaging Providers for the developing Transforming Social Care (Personalisation) Agenda. This will lead to the introduction of Framework Agreements and will be a suitable replacement for this contract upon its expiry.
- 7.8 It is proposed that a reducing two year contract, to run within the three year funding period for the CSR 2011-2014, be offered to HARTS. It will be necessary for a new service specification to be effected for this period. This will be implemented following discussions with stakeholders; not only to determine the consequences of a reducing contract, but to ensure appropriate alternative support mechanisms that may be necessary are in place at the end of the contract. This may be met in its entirety by the Framework Agreements around Personalisation.
- 7.9 HARTS have been pro-active in identifying necessary savings and in proposing new, more efficient model of service. The final service specification is under revision and will be included in new contract.
- 7.10 The new contract will be for a fixed term to 31 March 2013. Throughout this period the contract will be incrementally reduced, both in monetary terms and in capacity of the service.
The saving of £308,000 for 2010/11 and £1,091,668 for 2011/12 is being offered without any effect to the present capacity of 600 families.
It is proposed that to ensure that there are no unsupported families at the termination of the contract, that the capacity reduces with the respective reduction in Contract Value:
- 7.11 The impact on the termination of the service is further mitigated by the expectation that Personalisation will be fully implemented by the time the new HARTS contract expires..

8. Financial Implications

- 8.1 The current annual contract value is £2.8m; which is the largest single Supporting People contract held by any Support Provider in Haringey
- 8.2 Contract negotiations with the Provider have yielded cash efficiency savings of £1.4m over the financial years 2010/11 and 2011/12, to a revised annual contract value of £1.7m for the financial year 2011/12..
- 8.3 The existing SP contract requires recognition of TUPE legislation. It is therefore not pertinent to offer this contract to open tender in the market as there will be a commitment to honour existing terms and conditions of employment, which are greater than those that have now been offered through the discussions to effect a

gradual termination of the contract.

- 8.4 The SPPB received a report in August 2010 which suggested the gradual de-commissioning of this service, which would realise further savings of £1.7 million for the two year period 2012/13 and 2013/14.

9. Policy implications

- 9.1 The withdrawal of such a large contract will need to be carefully managed to ensure that no families are left without support throughout the closing period of the contract. It will be critically important to ensure that other, existing, referral sources are established to respond to any enquiries.
- 9.2 The Supporting People 5 year strategy 2005-10) is being refreshed which determines that the priority for the Supporting People programme for the years 2011 – 14 will be with accommodation based services.

10. Chief Financial Officer Comments

- 10.1 This report requests that a contract be awarded to for a period of 3 years at a cost of £2.5m in 2010/11 and £1.7m in 2011/12 and 2012/13, a reduction of £1.1m from the current value of £2.8m.
- 10.2 The Supporting People Programme Grant is currently £18.6m and the £2.5m contract value for 2010/11 will allow the programme to be within the 2010/11 budget allocation. However, it is anticipated that further significant reductions in the SP grant will be made by Government following the Comprehensive Spending Review in the Autumn and the further savings that this contract gives the Council in 2011/12 and 2012/13 will help meet this reduction.
- 10.3 This contract has been renegotiated and is deemed to provide value for money and maintain a consistent level of service. The HARTS contract currently supports up to 600 families though this will decrease over the length of the new contract.
- 10.4 This contract will be affected by the introduction of Personal Budgets through the Transformation Agenda and it is anticipated that Personalisation will be fully implemented by the time the new HARTS contract expires.

11. Head of Legal Services Comments

- 11.1 Adults, Culture and Community Services Directorate (“the Directorate”) requests a waiver of CSO 6.05 (requirement to tender).
- 11.2 The services are not considered priority activity services under the Public Contracts Regulations 2006 so there is no requirement to follow a European

tendering exercise.

- 11.3 The waiver is requested on the grounds stated in CSO 7.03 (a) i.e the nature of the market for the services to be provided has been investigated and demonstrated to be such that a departure from the requirements of CSOs is justifiable; and CSO 7.03 (d) i.e. that it is in the Council's overall interest.
- 11.4 The Cabinet Procurement Committee has power to approve a waiver of CSOs – see CSO 7.02 (a) (contracts valued at over £250,000).
- 11.5 If the Cabinet Procurement Committee sees fit to approve the waiver, then an award of contract is recommended. The Cabinet Procurement Committee has power to approve an award under CSO 11.03 (contracts valued at £250,000 or more).
- 11.6 The contract is valued at over £500,000 and as such is a “key decision” and must be included in the Forward Plan. The Directorate has confirmed that this has taken place.
- 11.7 The Head of Legal Services confirms that there are no legal reasons preventing Members from approving the recommendations in this report.

12. Head of Procurement Comments

- 12.1 The recommendation provides saving of £308,000 for 2010/11 and £1,091,668 for 2011/12 and the service will be decommissioned in 2013 at the end of the current contract. Although there is no benchmarking information included this report the recommendation does deliver a VFM outcome based on the previous contractual arrangements.
- 12.2 The risk of service failure is minimised by staying with the current provider while working towards de-commissioning this service provision.
- 12.3 The contract will be monitored a through PI workbooks, Performance Outcomes against LAA indicators and quarterly contract monitoring meetings to ensure that the quality of the service is not compromised by the reducing budget.

13. Equalities & Community Cohesion Comments

- 13.1 The service is multi cultural across all of the ethnic communities in the Borough. The service presently employs staff that can speak 25 community languages.
- 13.2 It shall be a condition of the new Framework Agreements that cultural awareness is demonstrated and a mix of languages should be available through staff

recruitment.

- 13.3 There is not expected to be any detriment to any of the equalities groups. Many are supported directly through other SP funded services which will continue, with greater emphasis on community cohesion.
- 13.4 Throughout the term of the contract being awarded, it is expected that reviews and re-modelling of housing services and other SP funded services, including the domestic violence sector, will create expanded roles and functions to meet demand that may be created by the reducing service that will be operating over the years to March 2013.

14. Consultation

- 14.1 Consultation meetings were held with the Provider on the following dates: 2nd February 2010; 5th March 2010; 14 May 2010, where the Support Provider tabled an efficiency saving offer of £1m over 2 years; 5th July 2010, where the Support Provider tabled an efficiency saving of £1.4m over 2 years.
- 14.2 Following the withdrawal of £1.6m of SP grant, 'in-year, from the SP programme and budget projections of a further £4m reduction over the three years 2011-14 a meeting was held with the Provider on 17 August 2010 to confirm that the contract could not be extended beyond 31 March 2013
- 14.3 This option was included in a paper submitted to an especially convened meeting of the Executive of the SP Partnership Board on 10 August 2010.

15. Service Financial Comments

- 15.1 The Supporting People (SP) Programme Budget was set at £18.6m for the financial year 2010/11; however following the Coalition Government withdrawal of £6m from the Area Based Grant allocation to Haringey; an 'in-year' reduction of £1.6m was imposed on the SP Programme Grant. This has presented a significant challenge to the programme and the savings identified will contribute to keeping the SP programme within budget.
- 15.2 During the 2010/11 financial year a vast major of SP contracts will be re-tendered or renegotiated. The total value of all SP funded contracts will not exceed £17,000,000 Supporting People Grant funding for London Borough of Haringey.
- 15.3 The contract can continue to be met from the revised budget allocation for 2010/2011.
- 15.4 **Efficiencies**

15.4.1 The waiver and award of a new contract will realise £2.8m cash efficiency savings over the 3 financial years 2010/11 and 2011/12 and 2012/13.

16. Use of appendices /Tables and photographs

16.1 Not Applicable

17 Local Government (Access to Information) Act 1985

17.1 This report contains exempt and non-exempt information. Exempt information is contained in Appendix A and is not for publication. The exempt information is under the following category (identified in the amended schedule 12A of the Local Government Act 1972): (3) Information relating to the financial or business affairs of any particular person (including the authority holding that information).

Agenda item:

[No.]

Procurement Committee

On 16th September 2010

Report Title. Termination of Adaptations Framework Contractor.

Report of **Director of Adult Culture and Community Services**

Signed :

Contact Officer : Pauline Walker-Mitchell, Head of Adaptations Service

Wards(s) affected: **All**

Report for: **Key Decision**

1. Purpose of the report (that is, the decision required)

This report is an information report to advise Members, in accordance with Contract Standing Order 15.03, of the termination of Rok Building Limited's (Rok) appointment as a framework contractor providing disabled adaptations to the residents of Haringey.

2. Introduction by Cabinet Member (if necessary)

- 2.1. The Council established a framework agreement for the provision of disabled adaptations which came into effect on 23rd January 2009. Three contractors were appointed: Rok, Effectable and Mullaley.
- 2.2. Rok was selected to provide the major adaptations for the residents of Haringey.
- 2.3. Core group meetings were held on a regular basis. The meeting held in May 2010 resulted in the decision to terminate the contract.
- 2.4. The business reasons are set out in Appendix A at paragraph 1.0

3. State link(s) with Council Plan Priorities and actions and /or other Strategies:

- 3.1. The provision of major adaptations to the residents of Haringey links with the following Council's Plan Priorities: 'A Healthy, caring Haringey' and 'Delivering high quality, efficient services'

4. Recommendations

- 4.1. That Members note that:

- (a) the Council's framework agreement with Rok for the provision of disabled adaptations work has been terminated by a notice issued on 29th June 2010;
- (b) the decision to terminate the framework agreement was approved by the Director of Adults Culture and Community Services in accordance with Contract Standing Order 15.02.

5. Reason for recommendation(s)

- 5.1 Contract Standing Order 15.03 requires that decisions to terminate contracts early where the awarded contract value is over £250,000 must be reported to Cabinet Procurement Committee at the earliest opportunity. This report is made in fulfilment of that requirement.

6. Other options considered

- 6.1. There were no viable alternatives other than to terminate.

7. Summary

- 7.1. The Council established a framework agreement for the provision of disabled adaptations which came into effect on 23rd January 2009. Three contractors were appointed: Rok, Effectable and Mullaley. As Rok provided the most economically advantageous tender, they were selected for call off for project

- 7.2. After a meeting with Rok in May 2010, a decision was taken to terminate the

contract with Rok for the business reasons set out in Appendix A at paragraph 1.0.

7.3. On 29th June 2010, Legal Services issued Rok with a notice of termination effective one calendar month after receipt by Rok of the notice.

8. Chief Financial Officer Comments

8.1. As Rok have been unable to provide the service specified under the framework agreement Haringey Council has no commitment to pay anything to Rok as part of the contract cancellation.

8.2. The service will ensure that the increased uplift costs from using the other contractors with the framework agreement are contained within the agreed capital budgets, and no overspend is created due to these additional costs.

9. Head of Legal Services Comments

9.1. This report complies with the requirements of Contract Standing Order 15.03 which requires that decisions to terminate contracts early are reported to Cabinet Procurement Committee where the contract value is in excess of £250,000.

9.2. Termination of the Council's Framework Agreement with Rok was conducted in accordance with the relevant break clause within the Agreement, Condition 22.2, which permits termination of the Agreement, with notice, without the need for the contracting party to be in breach/default of any stated term. The Agreement was terminated giving one month's notice.

10. Head of Procurement Comments

10.1. Rok were originally selected to the Council framework agreement following a competitive tender process.

10.2. Three contractors in total were appointed to this particular framework.

10.3. Services to residents will not be disrupted by this termination of contract since we have 2 other pre-approved contractors on the framework agreement to whom work can be allocated.

11. Equalities & Community Cohesion Comments

- 11.1. There are no equality issues as no group has been disadvantaged. Haringey residents will continue to receive a service from the remaining two framework contractors.

12. Consultation

- 12.1. No consultation was required

13. Service Financial Comments

- 13.1. The termination of Rok Limited's appointment as a framework contractor providing disabled adaptations to the residents of Haringey will have no financial implications. Service will ensure that all jobs carried out with the other contractors are within budget.

14. Use of Appendices, tables and photographs

- 14.1. Appendix A of this report contains exempt information.

15. Local Government (Access to Information) Act 1985

- 15.1 This report contains exempt and non-exempt information. Exempt information is under the following category (identified in the amended Schedule 12A of the Local Government Act 1972): s. 3 - information relating to the financial affairs of any body or person (including the authority holding that information).



Haringey Council

Agenda item:

[No.]**Procurement Committee****On 16th September 10**

Report Title. Office Stationery – Award of Contract

Report of Director of Corporate Resources

Signed :

LEAD FINANCE OFFICER

28 AUGUST 2010

Contact Officer : Janet Siman

Principal Procurement Officer

Tel 02-8489-1950

Janet.siman@haringey.gov.uk

Wards(s) affected: All

Report for: Key

1. Purpose of the report (That is, the decision required)

- 1.1 To seek Member approval for the award of a contract for the provision of office stationery for Haringey Council

2. Introduction by Cabinet Member (if necessary)

- 2.1. Cabinet Member is aware of this report and has advised that no comment is necessary

3. State link(s) with Council Plan Priorities and actions and /or other Strategies:

- A greener, cleaner and more sustainable future

A sustainable approach to purchasing office supplies of stationery. A greener environmental friendly product range of supplies.

- Spending wisely and investing in the future.

To provide through the contract a policy of reducing waste by the ordering of unnecessary products. A rationalisation of the products available to order.

4. Recommendations

- 4.1 Members to approve the award contract for the provision of office stationery to the contractor as identified in Appendix A

5. Reason for recommendation(s)

- 5.1 The supply of office stationery is an essential Council wide service. As part of this tender process a Value for Money review has also taken place with the Haringey Forward Team.

6. Other options considered

- 6.1 To carry out a full EU tender process that would prove to be costly and time consuming.
- 6.2 To re-award to the same supplier through LCSG.

7. Summary

- 7.1 Haringey Council currently purchase office supplies from the London Contract and Supplies Group (LCSG) framework. The contract was re-awarded to Office Depot for a period of 1st April 2010 – 31st March 2014. The contract documentation has just been agreed by Hammersmith Council and is currently being sent out to all London Boroughs for them to gain authorisation to join the Framework. Haringey have taken this opportunity to undertake a benchmarking exercise for stationery and if this recommendation is agreed will not be signing up to the new LCSG contract
- 7.2 The office of Government Commerce (OGC) Buying Solutions awarded a

	<p>framework agreement for stationery supplies to 5 suppliers which commenced on 08/01/2010 for 4 years. These suppliers are: Office Depot, Supplies Team, Lyreco, Commercial Group, Banner Solutions</p> <p>7.3 A request to Quote (RTQ) process was undertaken on the OGC website to ensure that Haringey had the most cost effective stationery contract. CPU received 5 quotations through the OGC portal. The quotations were evaluated on "lowest price" as a quality evaluation had already been carried out during the EU compliant tendering process undertaken by the OGC Buying Solutions.</p> <p>7.4 The quotations were also benchmarked against the LCSG providers' prices. The "lowest priced" bidder was selected as preferred supplier (Part B).</p> <p>7.5 The recommended stationery provider will allow the Council to streamline its core items and reduce cost. Based on a shopping basket of core items used to benchmark the prices which had a spend of £242k at 2009-2010 prices, the contract will produce an efficiency saving of between £30 - 86k per annum dependant upon the % of own brand items included in the new core list.(see Part B for new prices)</p> <p>7.6 Clarifications were made with the preferred supplier to ensure that their electronic ordering systems were compatible with the Council's SAP Finance System. The Council will not incur any change over cost with the ordering system.</p> <p>7.7 Consultation has taken place with CPU, "Haringey Forward Team" and Haringey Facilities Management in determining a new approach to ordering, stocking and controlling the requisition of stationery.</p> <p>7.8 CPU will engage in monthly contract reviews, with the Office Stationery Supplier until the contract is firmly up and running. When the contract is settled there will be 3 monthly reviews and customer satisfaction will be monitored through SRM on a monthly basis.</p> <p>7.9 This is an essential service for the Council and as part of a VfM review is currently being re-structured to provide an improved service and controlled spending structure that will deliver VfM to the Council.</p>
	<p>8. Chief Financial Officer Comments</p> <p>8.1. The Chief Financial Officer has been consulted over the contents of this report.</p> <p>8.2. The new contract does not commit the council to any minimum level of spend.</p> <p>8.3. The budgets for stationery expenditure are held within business units and as such the potential annual saving as set out in paragraph 7.5 will need to be clawed back in order to realise the budget reduction. It should be noted that the forecast saving excludes paper, computer consumables and furniture which are being reviewed separately. Any resultant savings will be reported and captured separately.</p>
	<p>9. Head of Legal Services Comments</p> <p>9.1. The Head of Legal Services notes the contents of the report.</p>

9.2. The Council has the power to enter into contracts for the supply of office stationery under section 1 of the Local Government (Contracts) Act 1997 on the basis that such supplies are properly required for the discharge of the Council's duties.

9.3. It is anticipated that the estimated value of this supply contract will be in excess of the threshold for application of the Public Contracts Regulations 2006 (PCR), currently £156,442.00, and therefore subject to the full application of the PCR. However, the report recommends that the Council enters into contractual arrangements under an existing framework agreement established by the Office of Government Commerce (OGC) Buying Solutions, which will counter the requirement to conduct a full procurement exercise.

9.4. The proposal to procure office stationery supplies via the Office of Government Commerce (OGC) Buying Solutions framework agreement for office stationery supplies is EU compliant, as it is our understanding that the framework agreement has been procured in accordance with the PCR. The supplies will be procured by way of call-off from the framework agreement in accordance with Regulation 19.7(a) of the PCR.

9.5. Under CSO 6.09(b), the Council's Contract Standing Orders shall not apply in the effect of requiring that a formal tender exercise is conducted, where the Council procures goods by selecting one or more contractors from a framework agreement established by a public sector body in accordance with the PCR.

9.6. The Procurement Committee has power to approve the report recommendations under CSO11.03 and award contracts with values in excess of £250,000.00.

9.7. The Contract will also be a 'key decision' and, as such, must be included within the Council's Forward Plan. The Corporate Procurement Unit has confirmed that this has taken place.

9.8. Legal Services is satisfied that the report demonstrates that the OGC framework agreement will deliver a cost effective solution in accordance with the PCR.

10. Head of Procurement Comments –[Required for Procurement Committee]

10.1 CPU have undertaken this procurement process and support the recommendation

11. Equalities &Community Cohesion Comments

11.1 An equalities impact assessment was carried out in advance of the Request to

Quote process.
<p>12. Consultation</p> <p>12.1 Consultation has taken place with end users and Haringey Forward team.</p>
<p>13. Service Financial Comments</p> <p>13.1 The proposed contract covers all the supplies of office stationery across the Council.</p> <p>13.2 A breakdown of the 2009/10 spend is outlined in Part B of this report. The greater spend is on toner cartridges. There is currently a review of rationalising the printer fleet throughout the Council with reviewed costs incurred.</p> <p>13.3 The spend on paper is the next highest spend. This requirement is also being reviewed and will be supplied through a separate bulk paper provider.</p> <p>13.4 The new contract will be for a period of 4 years. As this is a "call off" frame agreement the spend is variable.</p> <p>13.5 The use of this contract is funded by individual budgets across the Council.</p> <p>13.6 The proposed contract start date will be October 2010.</p>
<p>14. Use of appendices /Tables and photographs</p> <p>14.1 Part B: Exempt information.</p>
<p>15. Local Government (Access to Information) Act 1</p> <p>15.1 This report contains exempt and non-exempt information. Exempt information is contained in Appendix A and is not for publication. The exempt information is under the following category (identified in the amended schedule 12A of the Local Government Act 1972):</p> <p>(3) Information relating to the financial or business affairs of any particular person (including the authority holding that information).</p>

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