

## **NOTICE OF MEETING**

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# **Cabinet Procurement Committee**

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THURSDAY, 23RD FEBRUARY, 2012 at 18:00 HRS - CIVIC CENTRE, HIGH ROAD, WOOD GREEN, N22 8LE.

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

### **AGENDA**

**1. APOLOGIES FOR ABSENCE**

**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 7 below. New items of exempt business will be dealt with at item 10 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 (PAGES 1 - 6)**

To confirm and sign the minutes of the Procurement Committee meeting held on 12 January 2012.

**5. DEPUTATIONS / PETITIONS / PRESENTATIONS / QUESTIONS**

To consider any requests received in accordance with Standing Orders.

**6. THE COUNCIL'S CORPORATE INSURANCE ARRANGEMENTS (PAGES 7 - 12)**

To seek approval for the procurement and award of contract for Property and Liability Insurance Policies via the Insurance London Consortium.

**7. NEW ITEMS OF URGENT BUSINESS**

To consider any items admitted at item 2 above.

**8. EXCLUSION OF THE PRESS AND PUBLIC**

The following item is likely to be the subject of a motion to exclude the press and public as they contain exempt information which either relates to the business or financial affairs of any particular person (including the Authority holding that information) or the amount of any expenditure proposed to be incurred by the authority under any particular contract for the acquisition of property or the supply of goods and services.

**Note by the Head of Local Democracy and Member Services**

Item 9 allows for the consideration of exempt information in relation to item 6 which appear earlier on the agenda.

**9. THE COUNCIL'S CORPORATE INSURANCE ARRANGEMENTS (PAGES 13 - 16)**

To seek approval for the procurement and award of contract for Property and Liability Insurance Policies via the Insurance London Consortium.

**10. NEW ITEMS OF EXEMPT URGENT BUSINESS**

To consider any items admitted at 2 above.

David McNulty  
Head of Local Democracy  
and Member Services  
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Principal Committee Co-ordinator  
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15 February 2012

**MINUTES OF THE CABINET PROCUREMENT COMMITTEE  
THURSDAY, 12 JANUARY 2012**

Councillors Bevan, Reith and Goldberg (Chair)

Apologies Councillor Kober

MINUTE NO.	SUBJECT/DECISION	ACTION BY
<b>PROC29</b>	<p><b>APOLOGIES FOR ABSENCE</b></p> <p>Apologies for absence were received from Cllr Kober.</p>	
<b>PROC30</b>	<p><b>DECLARATIONS OF INTEREST</b></p> <p>There were no declarations of interest.</p>	
<b>PROC31</b>	<p><b>MINUTES</b></p> <p><b>RESOLVED</b> That the minutes of the meeting held on 17 November 2011 be approved and signed.</p>	
<b>PROC32</b>	<p><b>EXTENSION OF SAP MANAGED SERVICE CONTRACT</b></p> <p>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 (including the Authority holding that information).</p> <p>The Committee considered a report seeking a four month extension to the current contract with Logica UK Ltd for a managed SAP service. This would serve to help mitigate migration risks associated with progression of the joint procurement exercise currently underway with LB Waltham Forest to move to a shared SAP management service for both authorities. The adoption of a joint approach had the objective of reducing procurements costs in addition to facilitating potential future shared services between the two boroughs for back office processes.</p> <p>It was advised that the costs of extending the current SAP managed service contract remained under negotiation with the provider.</p> <p>The Committee noted the additional Head of Legal comments made within the exempt appendix of the report.</p> <p><b>RESOLVED</b></p> <ul style="list-style-type: none"> <li>• That approval be granted to the extension of the existing contract between Haringey and Logica UK Limited for a minimum period of 4 months (to allow alignment with Waltham Forest's contract expiry date in March 2013), with the option to extend on a rolling month basis to a maximum of 12 months, to facilitate any prolonged negotiation with</li> </ul>	<p><b>Dir CR</b></p>

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	<p>regards a new contract and to enable adequate planning as necessary to migrate to a new SAP based solution.</p> <ul style="list-style-type: none"> <li>• That approval be granted to delegate the power to the Director of Corporate Resources to: <ul style="list-style-type: none"> <li>(a) agree the terms of the initial 4-month extension approved in the paragraph above; and,</li> <li>(b) to decide on a monthly basis, starting at the end of the first month of the 4-month extension, whether to allow further extensions or to issue a 3-month notice of termination.</li> </ul> </li> </ul>	<b>Dir CR</b>
<b>PROC33</b>	<p><b>PAN LONDON FRAMEWORK AGREEMENT FOR CONSTRUCTION RELATED CONSULTANT SERVICES (CRCS): 10 LOTS OF VARIOUS CONSTRUCTION PROFESSIONAL DISCIPLINES.</b></p> <p>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 (including the Authority holding that information).</p> <p>The Committee considered a report seeking approval for the award of 10 multi-disciplinary Lots of construction professional services under the Pan London Construction Related Consultants Services 2011 Framework agreement (CRCS 2011). Approval was being sought for the award of Lots 1-6 and 8-11, with the award for Lot 7 (CDM co-ordinators) having previously been delegated by the Committee in November 2011 to the Director Corporate Resources. The Committee noted the companies awarded under this Lot had been Calford Seaden Health and Safety Ltd, Cyril Sweett Ltd, Frankham Consultancy Group Ltd, Gleeds and Stace LLP.</p> <p>In response to concerns raised by Members, assurances were provided that the Council would be able to exercise discretion when appointing contractors for individual projects under the framework and which would include considerations around previous history as appropriate. As an additional level of assurance, where appropriate mini competitions would be held between successful consultants to ensure competitive pricing and selection of the most appropriate consultant on a case by case basis.</p> <p>It was advised that although the Council had served as the lead authority in relation to development of the framework, the costs associated with the procurement would be recovered against the framework using a levy arrangement.</p> <p><b>RESOLVED</b></p> <ul style="list-style-type: none"> <li>• That approval be granted for the award of the following Lots as framework agreements for up to four years to those consultants identified below: <ul style="list-style-type: none"> <li>a. Lot 1 Multi Disciplinary (Building Surveying led): Small Works</li> </ul> </li> </ul>	<b>Dir CR</b>

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£249,999 and below:

- Atkins Ltd
- Frankham Consultancy Group Ltd
- Keegans Ltd
- Pellings LLP
- Ridge and Partners LLP

b. Lot 2 Multi Disciplinary (Building Surveying led): £250,000 to £999,999:

- EC Harris LLP
- Frankham Consultancy Group Ltd
- Mouchel Ltd
- NPS Property Consultants Ltd
- Ridge and Partners LLP

c. Lot 3 Multi Disciplinary (Building Surveying led): Over £1,000,000:

- Atkins Ltd
- Frankham Consultancy Group Ltd
- Keegans Ltd
- Mouchel Ltd
- Pellings LLP

d. Lot 4 Architect and Associated Supply Chain – Education Projects: Up to £2,999,999:

- Acanthus LW Architects
- AD Architects Ltd
- Architects Design Partnerships LLP
- Mouchel Ltd
- Pick Everard
- Rivington Street Studio
- Shepherd Epstein Hunter
- Watkins Gray International LLP

e. Lot 5 Architect and Associated Supply Chain – Education Projects: Over £3,000,000:

- Curl la Tourelle
- Haverstock Associates LLP
- Hawkins Brown Architects LLP
- Mouchel Ltd
- NPS Property Consultants Ltd
- Pellings LLP
- Pick Everard
- Pollard Thomas and Edwards Ltd

f. Lot 6 Project Management inclusive of Employers Agent and Partnering Advisors:

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	<ul style="list-style-type: none"> <li>• Baily Garner LLP</li> <li>• Cyril Sweett Ltd</li> <li>• Mace Ltd</li> <li>• Mott MacDonald Ltd</li> <li>• Northcroft Group Ltd (T/A Northcroft)</li> </ul> <p>g. Lot 8 Quantity Surveyors including EU procurement:</p> <ul style="list-style-type: none"> <li>• Cyril Sweett Ltd</li> <li>• Keegans Ltd</li> <li>• Mott MacDonald Ltd</li> <li>• Playle and Partners LLP</li> <li>• Stace LLP</li> </ul> <p>h. Lot 9 BREEAM Assessors:</p> <ul style="list-style-type: none"> <li>• Architects Design Partnerships LLP</li> <li>• Atkins Ltd</li> <li>• Clancy Consulting Ltd</li> <li>• Frankham Consultancy Group Ltd</li> <li>• Gleeds</li> </ul> <p>i. Lot 10 Clerk of Works:</p> <ul style="list-style-type: none"> <li>• John Burke Associates</li> <li>• John Rowan and Partners</li> <li>• MDA Consulting Ltd</li> <li>• Mouchel Ltd</li> </ul> <p>j. Lot 11 Client Design Advisors:</p> <ul style="list-style-type: none"> <li>• Curl la Tourelle Architects</li> <li>• Pollard Thomas and Edwards Ltd</li> <li>• 3D Reid</li> </ul> <p>These are within the Construction Related Consultants Services framework agreement 2011 (CRCS 2011).</p>	
<b>PROC34</b>	<p><b>CONTRACT FOR THE SUPPLY OF INTERNAL AUDIT SERVICES</b></p> <p>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 (including the Authority holding that information).</p> <p>The Committee considered a report seeking approval to enter into a contract with LB Croydon and to subsequently access their supply chain Audit Services Framework Agreement to provide audit resources to deliver a statutory internal audit service following expiry of the current contract with Deloitte in March 2012. Confirmation was provided that the recommended option was more cost effective than extending the current contract and was forecast to deliver a £10k annual saving against the</p>	

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	<p>current audit plan. It was also noted that LB Croydon served as the contracting authority and would therefore be accountable for any contract issues.</p> <p><b>RESOLVED</b></p> <ul style="list-style-type: none"> <li>• That approval be granted to enter into a contract with the London Borough Croydon, to use their Audit Services Framework Agreement, from April 2012 to 31 March 2015 to provide audit resources to deliver the Internal Audit service for the Council.</li> <li>• That should the Croydon framework contract be extended in compliance with the EU regulations and satisfactory contract performance is maintained, approval be granted for the Council to extend its contract with the London Borough Croydon and associated framework agreement.</li> </ul>	<p><b>Dir CR</b></p> <p><b>Dir CR</b></p>
<p><b>PROC35</b></p>	<p><b>SEMI SUPPORTED HOUSING TENDER</b></p> <p>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 (including the Authority holding that information).</p> <p>The Committee considered a report seeking approval for a six months extension of the current semi supported housing contracts to enable conclusion of the North East London Consortium tendering exercise. Following Member concerns over the number of extensions made to the current contracts, confirmation was provided that although the tendering process had taken considerably longer than anticipated owing to a number of other boroughs joining the consortium, it was currently on track, with an award of contract anticipated to be submitted for Committee approval in April.</p> <p><b>RESOLVED</b></p> <ul style="list-style-type: none"> <li>• That approval be granted to extend the current provision with the suppliers listed below for six months from 1 January 2012 until 30 June 2012 in order to complete the tendering exercise with the NELC (North East London Consortium): <ul style="list-style-type: none"> <li>○ Christopher House, TA Limelight Properties</li> <li>○ Allison Lodge (formally MG Supported Housing)</li> <li>○ Atlas Properties</li> <li>○ Phoenix Community Care</li> <li>○ Andrew Stevens</li> <li>○ Atlantic Lodge</li> </ul> </li> </ul>	<p><b>Dir</b></p> <p><b>CYPS</b></p>
<p><b>PROC36</b></p>	<p><b>NORTHUMBERLAND PARK COMMUNITY SCHOOL - SWIMMING POOL HALL MECHANICAL AND ELECTRICAL IMPROVEMENT WORKS</b></p> <p>The interleaved report was the subject of a motion to exclude the press</p>	

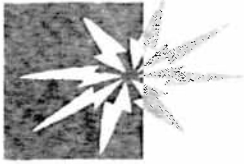
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	<p>and public from the meeting as it contained exempt information relating to the business or financial affairs of any particular person (including the Authority holding that information).</p> <p>The Committee considered a report seeking approval to appoint a contractor to refurbish and replace parts of the existing mechanical and electrical plant within the pool hall at Northumberland Park Community School. The tender process was undertaken outside of the existing Framework Agreement for the Provision of Major Works Construction Services owing to the specialist nature of the work.</p> <p>Confirmation was provided that the project would be jointly funded from the Building Schools for the Future contingency and the secondary school lifecycle fund. Funding discussions had also been held with the school and although they would not be contributing directly at the current time, they would be investing £80k in a separate project on associated elements such as refurbishing the changing rooms.</p> <p>In response to a query about the opportunities for achieving carbon reductions through the project, it was confirmed that the Council had included these considerations within the final design specifications and would also look at the opportunity to make ancillary carbon reductions where feasible during the progress of the work.</p> <p><b>RESOLVED</b></p> <ul style="list-style-type: none"> <li>• That approval be granted for a waiver of the requirements set out in CSO 9.01 to enable a tender process to take place without advertising by inviting tenders from a selection of contractors from Constructionline (a government managed UK register of pre-qualified construction services) for the works.</li> <li>• That approval be granted to award the contract for the above project in accordance with CSO 9.07.1(d) to BTU Installation and Maintenance Ltd under the terms detailed in the exempt appendix to the interleaved report.</li> <li>• That approval be granted to the issue of a Letter of Intent at 10% of the contract value as allowed under CSO 9.08.3.</li> </ul>	<p><b>Dir CYPS</b></p> <p><b>Dir CYPS</b></p> <p><b>Dir CYPS</b></p>
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CLLR GOLDBERG

Chair





Haringey Council

Report for:	Cabinet Procurement Committee 23 <sup>rd</sup> February 2012	Item number	
Title:	The Council's Corporate Insurance Arrangements		
Report authorised by:	Director of Corporate Resources <i>J. Power 14/2/12</i>		
Lead Officer:	Anne Woods, Head of Audit & Risk Management		
Ward(s) affected: All	Report for Key Decision		

### 1. Describe the issue under consideration

1.1 To inform the Cabinet Procurement Committee of the procurement process undertaken, via the Insurance London Consortium, to appoint providers for the Council's Property and Liability insurance policies from 1 April 2012 to 31 March 2014, in accordance with the OJEU notice.

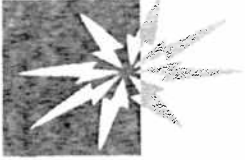
1.2 The current contracts for these policies have been in place since the 1<sup>st</sup> January 2010 and are due to expire on 31<sup>st</sup> March 2012. It is necessary to ensure that a new contract is in place from 1 April 2012, to avoid any gap in insurance cover for the Council.

### 2. Cabinet Member Introduction

2.1 I concur with the recommendation of this report. This recommendation is based on cost efficiency and service delivery.

### 3. Recommendations

3.1 That the Cabinet Procurement Committee approves the procurement of Property and Liability Insurance Policies via the Insurance London Consortium and awards the contracts for each of the insurance policies to the recommended providers listed in Appendix 2, with the total costs for 2012/13 as specified in paragraph 5 of Appendix 2.



**Haringey** Council

#### **4. Other options considered**

4.1 Purchasing stand-alone cover for the Council, using agreed procurement processes. This was not considered appropriate because:

- The insurance market for local authority risks has historically had a limited number of competitors, which has resulted in reduced competition and higher rates; and
- The Council has benefited from its membership of the Insurance London Consortium both in terms of achieving good value for money on the policies purchased and in the facility to share best practice on insurance and risk management practices.

#### **5. Background Information**

5.1 Haringey, along with eight other London boroughs (Croydon, Camden, Harrow, Islington, Kingston-upon-Thames, Lambeth, Sutton and Tower Hamlets) have continued to work as a formal consortium (Insurance London Consortium) to share best practice in Risk Management and to procure insurance services. The Consortium has a formal s101 agreement in place which allows a local authority to arrange for any other authority to discharge a function on its behalf.

5.2 The London Borough of Croydon was selected to be lead authority for this procurement process, and a Memorandum of Understanding was entered into by all members of the Consortium. A project group was formed by representatives from all authorities within the Consortium.

5.3 The project group has been meeting on a regular basis to ensure that all Consortium members participate fully in the procurement process including drafting and agreeing all tender documents, the invitation to tender, specification; insurance policy wordings; and the contract evaluation criteria. The project group also agreed that the procurement of Property and Liability insurance policies would be separated into two individual 'Lots' for the procurement process.

5.4 The London Borough of Croydon, as lead authority, has managed the procurement process in compliance with their Council Standing Orders and EU procurement regulations. Tenders for the provision of insurance were sought with insertion of the contract notice in the Official Journal of European Union (OJEU). The OJEU notice stated that the contract award would be a minimum of 24 months (2 years), with the option to extend up to 60 months (5 years).

5.5 The Consortium members established a procurement project plan which commenced on the 27<sup>th</sup> September 2011 with the issue of the EU notice;



**Haringey Council**

and is due to conclude on the 28<sup>th</sup> February 2012 with the placement of instructions to the selected and approved contractor.

**6. Comments of the Chief Financial Officer and Financial Implications**

6.1 The Council's Contract Standing Orders state that a contract for supplies and services exceeding £500k is a key decision which should be included in the Council's Forward Plan and approved by the Council's Cabinet Procurement Committee.

6.2 The recommended provider for each of the Property and Liability policies is broadly in line with the Council's existing budgets. Once final contracts have been approved and signed, budgets will be reviewed and re-aligned as appropriate.

**7. Head of Legal Services Comments and Legal Implications**

7.1 In accordance with the Public Contracts Regulations 2006 (the "Regulations") the contracts which this report relates to were advertised in the Official Journal of the European Union.

7.2 The London Borough of Croydon acted as purchasing authority on behalf of eight other London local authorities. Under the Regulations a contracting authority can act as a purchasing authority on behalf of other contracting authorities.

7.3 The London Borough of Haringey was named in the OJEU Notice. This complies with the requirement that in order to use a contract a contracting authority must be immediately identifiable in the OJEU Notice.

7.4 This is a key decision and the Directorate has confirmed it has been included in the Forward Plan.

7.5 As the contracts are valued over £250,000 they may only be awarded by Cabinet Procurement Committee.

7.6 The Head of Legal Services sees no legal reasons preventing Members from approving the recommendations in the report.

**8. Equalities and Community Cohesion Comments**

8.1 This report deals with the Council's corporate insurance arrangements and the purchase of insurance cover for all areas of the Council, which has an impact on various parts of the community. The continued improvements in managing insurance policies and risk management will therefore improve services the Council provides to all sections of the community.



**Haringey Council**

**9. Head of Procurement Comments**

9.1 In order to achieve value for money in a limited market a collaborative approach to the market has been used to maximise leverage and obtain the most competitive rates.

9.2 Contract management has been put in place both individually by Haringey council and on a cross borough basis to ensure contract compliance and to share best practise

9.3 The recommendation is in line with the Procurement code of Practise.

**10. Policy Implications**

10.1 There are no direct implications for the Council's existing policies, priorities and strategies.

**11. Tender and Evaluation Processes**

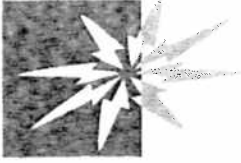
11.1 The procurement process will be subject to the Standing Orders and procedures of the London Borough of Croydon, acting as the lead authority. Each participating authority will award its own contracts in compliance with their own Standing Orders.

11.2 The project group determined that the most effective procurement arrangement would be to arrange the insurance provision requirements into specific 'Lots' for each of the two areas. This would allow prospective tenderers to submit bids against one, or more, of the specific Lots.

11.3 This would ensure that individual organisations which specialised in specific insurance provision arrangements would not be disadvantaged and excluded from bidding if the tender were to require organisations to bid for all types of insurance provision. Details of each of the Lots are summarised in Table 1 below.

**Table 1**

<p><b>Lot 1</b></p>	<p><b>Property and associated classes</b>                  Material Damage                  Business Interruption                  Computer(All Risks)                  Contract Works                  Works in Progress</p>
<p><b>Lot 2</b></p>	<p><b>Liability</b>                  Employers Liability                  Public and Products Liability                  Professional Indemnity                  Libel and Slander                  Land Charges</p>



## Haringey Council

- 11.4 The project group determined and agreed evaluation criteria which would be applied to all compliant bids received. The evaluation criteria for each Lot are set out in Table 2 and 3 below:

Table 2

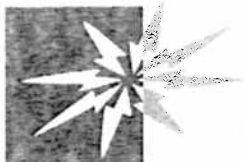
Criteria – Lot 1	Evaluation Weighting
Value for Money	66%
Quality	34%

Table 3

Criteria – Lot 2	Evaluation Weighting
Value for Money	70%
Quality	30%

## 12. Tender Results

- 12.1 Two providers returned tenders by the deadline of 17<sup>th</sup> January 2012. The bids were initially reviewed on the 19<sup>th</sup> January 2012 to confirm that they complied with the tender specification and were therefore able to be formally evaluated. No errors or omissions were identified with the submitted tenders, therefore the project group applied the agreed evaluation criteria and weightings detailed above to assess each of the tender submissions.
- 12.2 Each member of the project group evaluated the tenders individually, with ratings out of 100 in total being awarded for each Lot. The breakdown of the scores available for the evaluation is as follows:
- For Lot 1**
- the total Value for Money score available was 66 points; and
  - the total Quality score available was 34 points which was broken down further into three sub-categories: Variations (maximum of 12 points); Multi-year Deal (maximum of 12 points); and Added Value (maximum of 10 points).
- For Lot 2**
- the total Value for Money score available was 70 points; and
  - the total quality score available was 30 which was broken down further into the same three sub-categories as for Lot 1: Variations (maximum of 10 points); Multi-year Deal (maximum of 12 points); and Added Value (maximum of 8 points).
- 12.3 Appendix 1 contains the details of the evaluation ratings for each of the Tenders for Lots 1 and 2. The project group agreed that, as a result of the evaluation process, it has been possible to recommend insurance providers for both Lot 1 and Lot 2.



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- 12.3 Appendix 2 sets out the recommended providers for each insurance policy. The premium costs indicated in the associated tables represent the premiums payable for 12 month period commencing 1<sup>st</sup> April 2012.
- 12.4 The premiums for the period 1<sup>st</sup> April 2013 to 31<sup>st</sup> March 2014 will be determined by the pre-agreed criteria included in the tender specification. Any changes to premium costs for 2013-14 will be based on each authority's claims experience; changes to the Council's asset base e.g. increases/decreases in stock, buildings etc; and any changes in employee numbers and payroll costs. The total premium costs detailed in Appendix 2 show the breakdown between the basic premium and statutory Insurance Premium Tax (IPT).
- 12.5 Although the London Borough of Croydon act as lead authority for the procurement phase, each Council will be required to manage and monitor its own part of the overall contract. In Haringey, the Risk and Insurance Manager will manage and monitor the Council's consortium insurance policies in accordance with the Council's agreed contract monitoring framework to ensure that the providers are meeting their contractual obligations.
- 12.6 The Consortium members will continue to meet on a regular basis to ensure that best practice is shared and any contractual or performance issues can be raised and resolved on an agreed basis between the Consortium members. This is considered to be the most effective means ensuring contract compliance is maintained across the consortium.

Document is exempt

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