

Report for Cabinet Member for Corporate Resources

Item number: 4

Title: Call-off Agreement with The Project Centre under the umbrella of an existing Framework Contract

Report

Authorised by: Assistant Director, Commercial and Operations



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Ward(s) affected: All

Report for Key

Decision: Yes

1 Describe the issue under consideration

- 1.1 The report requests approval for entering into an Access Agreement with the London Borough of Ealing, which will enable the Council to formally access the Framework Contract for the provision of Highways and Transport Consultancy Services which was put in place by Ealing Council in November 2016.
- 1.2 Approval is also sought for entering into a non binding Call off Agreement under the above mentioned Framework Contract with the preferred Contractor (Project Centre Ltd) for the provision of highways and transport consultancy services for a period until the expiry of the Framework Contract on 15 November 2020.

2 Recommendations

2.1 That the Cabinet Member for Resources approves:

- I. The Council entering into an Access Agreement with the London Borough of Ealing in Relation to Ealing Framework Contract for Highways and Transport Services.
- II. The Council subsequently entering into a non-binding Call-off Agreement with the Project Centre Ltd under the Framework Contract between Ealing Council and Project Centre Ltd to place orders for the provision of highways and transport consultancy services for the period until the expiry of the Framework Contract on 15 November 2020.

- III. To approve the placing of orders under the Call-off Agreement with Project Centre Ltd up to a combined maximum value of £1,000,000 per annum for the duration of the Framework Contract.

3 Reasons for decision

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

4 Alternative options considered

- 4.1 The contractual arrangements described in this report are intended to ensure that the Council can access professional and technical support in advance of the development and implementation of a procurement strategy that will provide a long term solution for the provision of the services required. The strategy to be developed will comply with the requirements of the Public Contracts 2015 ('the Regulations') that govern the advertising, tendering and award of contracts valued above the EU threshold for the provision of Services.

5 Background information

- 5.1 In November 2016 the London Borough of Ealing entered into a number of Framework Contracts including the Framework Contract with Project Centre Ltd for the provision of Highways and Transport services on behalf of the London Contracts and Supplies Group. The Framework Contracts became operative on 16 November 2016 and are open to all members of the London Contracts & Supplies Group (LCSG).

- 5.2 London boroughs that are members of the LCSG can access the Framework Contracts at any time by entering into an Access Agreement with Ealing Council, and can then select either through a direct award or a mini competition the Service Provider to provide the services required to meet their specific needs. Haringey Council is a member of the LCSG and is therefore entitled to use the Framework Contracts.

- 5.3 The services available through Lot 3 of the Framework Contract with Project Centre Ltd include:

- Accident and other studies
- Highways management
- Traffic management
- Road safety engineering and audit
- Parking policy
- Traffic order making
- Highways engineering
- Highways maintenance
- Structural/civil engineering
- Asset management

- Utilities and drainage
- Transport planning
- Urban design/public realm
- Technical administration
- CDM coordination
- Health and safety advice

5.4 In addition to providing professional and technical services in support of discrete projects there are likely to be instances where the Council will need Project Centre Ltd to provide professional and technical advisory and support services on an ad hoc basis. There may also be instances where there is a need to second personnel from the Project Centre Ltd to the Council. Such arrangements will be underpinned by a formal secondment agreement.

5.5 In order to be able to access the Framework Contract documents the Council was required to give a confidentiality undertaking to Ealing Council. This undertaking was signed by the Head of Operations on 12 November 2016.

Value for money considerations

5.6 The London Borough of Ealing awarded Framework Contracts with 3 Suppliers in respect of Lot 3 which is for the provision of General Engineering.

5.7 The 3 Suppliers were judged to have presented the most economically advantageous tenders using the evaluation criteria set out in the procurement document which was based on 40 percent for quality and 60 percent for price.

5.8 The first placed Supplier is Project Centre Ltd and is the 'Preferred Consultant' on the Framework Contract.

5.9 It is proposed to award a non binding Call-off Agreement to the first ranked company (Project Centre Ltd) under a direct award for Lot 3 of the Framework Contract for the period until the expiry of the Framework Contract on 15 November 2020 when orders may be placed for funded projects or services.

5.10 The Framework Contract includes a performance-based KPI regime which will incentivise the Preferred Consultant to maintain high standards of quality which will be closely monitored by the Council.

6 Contribution to strategic outcomes

6.1 The technical support accessed through this contract will contribute to the delivery of Haringey's Corporate Plan Priority 3, 'A clean, well maintained and safe borough where people are proud to live'.

7 Statutory Officers comments (Chief Finance Officer (including procurement, Assistant Director of Corporate Governance, Equalities)

7.1 Procurement comments

7.1.1 Council Procurement Policy is to maximise the use of extant Framework Contracts that the Council is able to access. Strategic Procurement supports the use of this Framework Contract to provide the level of specialist external support that the Council require to deliver mission critical activities. The Ealing Framework Contract was put in place in compliance with OJEU competitive tendering procurement procedures and it is noted that Project Centre Ltd is the 'Preferred Consultant' for Lot 3 which covers General Engineering.

8.2 Legal Comments

8.2.1 The Assistant Director of Corporate Governance notes the contents of the report.

8.2.2 It is legally permissible for the Council to access and call off under a framework contract established by another contracting authority where the Council has been identified as an approved user of the framework contract in the OJEU Contract Notice.

8.2.3 It is confirmed that the Council is identified as an approved user of this framework contract in the OJEU Contract Notice published by Ealing Council.

8.2.4 This is a key decision and the Service has confirmed it is on the Forward Plan in accordance with Contract Standing Order 9.07.1(e).

8.2.5 Pursuant to Contract Standing Order 16.02 the Cabinet Member for Resources has the authority to take this decision.

8.2.4 Therefore the Assistant Director of Corporate Governance sees no legal reasons preventing the Cabinet Member for Resources from approving the recommendations in the report.

8.3 Finance comments

8.3.1 The recommendation to enter into this Access Agreement does not commit the authority to a specified level of spend and limits the total value of orders to £1,000,000 per annum as set out in Section 2 above. The actual level of expenditure will be determined by the allocated budgets across revenue and capital during each financial year which are sufficient to meet the anticipated usage from this agreement. The service will continue to monitor the contract to ensure that the cost does not exceed the contract value.

8 Use of Appendices

N/A

9 Local Government (Access to Information) Act 1985

N/A