

Decision Record – Procurement Direction for the Provision of Asbestos Remedial and Analytical works

Cabinet Portfolio Holder taking the decision	Cllr Alan Cockburn Deputy Leader
Date of Decision (not before: 21 st March 2014)	21/03/2014

Decision Taken

That Deputy Leader:

- 1) Approves the County Council accessing the recently awarded sub-regional collaborative procurement contract for Asbestos Remedial and Analytical Works; and
- 2) Authorises the Strategic Director for Resources to enter any individual contracts under this arrangement.

Reasons for Decisions

Options

The following options are available to the authority when considering how to procure this provision:

- Run a compliant European Procurement Process for Warwickshire alone; or
- Use the established Collaborative Framework Agreement to run Further Competition exercises and select the most appropriate suppliers to complete the provision.

Running a complete compliant European Procurement tender process would take approximately six months and carries the usual procurement related risks. Accessing the sub-regional framework would remove the need for the procurement exercise which mitigates those risks and means we could realise the benefits of any reduced pricing from the sub-regional contract immediately.

Proposed Recommendation and Justification

The County Council plan to use the Collaborative Framework Agreement to run Further Competition exercises on a project-by-project basis to allow the supply base to competitively price against each other.

For the lower value servicing work, which can be efficiently scheduled, the authority may look to run a Further Competition to award an annual or two-year contract to encourage competitive responses to this less attractive work. The Framework also has a pre-priced schedule of rates which allows direct award to the rank no.1 contractor on pre-tendered prices.

Work will be awarded to suppliers following Further Competition exercises on a project-by-project basis; therefore, the level of spend identified in this report is not guaranteed business and any awarded work will be based on a rolling programme of needs which will have been

considered and budgeted for. No guarantee of volume or value of work is required which limits the risk to the authority and allows flexibility should any new supply opportunities arise (e.g. a future ESPO/GPS framework)

The benefits of this procurement route to the authority include:

- Do not need to run a European Tender process saving Time and Cost of the resources required to complete such a process;
- Immediate access to a competitively tendered supply chain providing the earliest opportunity to realise potential savings;
- By using this Framework, the Authority will improve the reputation and the attractiveness of this Framework and encourage the competitive nature of future Sub-Regional Framework Agreements; and
- Will be able to complete and award a contract before the 1st April 2014 which would be impossible to achieve using a European Procurement process.

Background Information

The County Council has an on-going requirement for asbestos remedial and analytical works to meet the needs of the authority and maintained schools.

Historically, the provision has been provided by three (3) suppliers who were selected following competitive tendering processes. The original contract with the suppliers has expired and has been maintained following approval to be exempt to Contract Standing Orders.

Details of the contract can be seen below:

Contract Name	Asbestos Measured Term Framework
Total contract duration	3 years
Total value of contract	£2,400,000
No. of suppliers who carry out contract	10

Other spend is accrued through capital build works carried out through individual projects.

The annual value of this overall provision is estimated at £800,000. Officers of Physical Assets have now investigated ways to source contractors to carry out this provision.

The Coventry Solihull and Warwickshire (CSW) Sub-Regional Property Officers Group has worked together to identify possible areas where the three authorities can work together on procurement opportunities.

One identified opportunity for collaboration was asbestos-related work where the members believed common ground on specification requirements and pricing structures could be achieved.

A Framework Agreement for this provision has now been established and is ready for use by the sub-regional partners. The Framework Agreement is called "Asbestos Removal and Analytical Works" - Contract Reference number 4363. The Framework includes five remedial and five analytical suppliers.

Financial Implications

The Authority will access the Collaborative Framework agreement for a two-year period which may possibly be extended to three years with an estimated works value of £2.4 million.

Using the Framework to run Further Competitions for individual projects provides the Authority with flexibility to accommodate budget fluctuations over the next three years as there will be no obligation to spend a total fixed sum.

Report Author	Mike Kobylak
Head of Service	Steve Smith
Strategic Director	David Carter
Portfolio Holder	Councillor Alan Cockburn

Checklist

Urgent matter?	No
Confidential or Exempt? (State the category of exempt information)	No
Is the decision contrary to the budget and policy framework?	No

List of Reports considered - please include link to report

Link to published proposed decision report:
<https://democratic.warwickshire.gov.uk/cmis5/CalendarofMeetings/tabid/128/ctl/ViewMeetingPublic/mid/645/Meeting/3166/Committee/551/Default.aspx>

List of Background Papers - please include a contact for access to background papers

None.

Members and officers consulted or informed – please include any comments

Portfolio Holder – Councillor Alan Cockburn
 All Strategic Directors
 Legal – Alison Hallworth, Vicky Newbold, Jane Pollard
 Finance – Liz Firmstone
 Equality – Minakshee Patel
 Democratic Services – Georgina Atkinson

Corporate Services OSC – party spokes:

Councillors Nicola Davies, Martin Heatley, June Tandy and Alan Webb