

PROCUREMENT COMMITTEE

TUESDAY 4 DECEMBER 2012
5.30 PM

PLEASE NOTE TIME OF MEETING

COUNCIL CHAMBER, CIVIC OFFICES
CENTRAL MILTON KEYNES

AGENDA

Notice of the intention to hold part of the meeting (Items 11 to 15) in private is given later in this Agenda

Members of the Committee:

Councillor A Geary (Chair and Leader of the Council)
Councillors Bald, Bint, Brock, Dransfield, P Geary and Hopkins

If you have any enquires about this agenda please contact Shelagh Muir (Committee Manager) on Tel: (01908) 254271 or E-mail shelagh.muir@milton-keynes.gov.uk

CABINET PROCUREMENT COMMITTEE

TERMS OF REFERENCE

1 Terms of Reference

To exercise the functions of the Cabinet in respect of all contracts for procurement of works, goods or services.

2 Membership

- (a) **Appointment.** The Cabinet Procurement Committee will consist of three to five members appointed by the Leader. There is no power to co-opt.
- (b) **Chair.** The Leader or Deputy Leader, if present, will take the role of Chair and Vice-Chair of the Committee.
- (c) **Quorum.** Except where decisions are to be made by the Leader as advised by the Committee, business shall not be transacted at a meeting of the Committee unless at least three members are present.

3 Functions

The Cabinet Procurement Committee will exercise the following functions and those matters which flow from them, which are executive functions:

- (a) To undertake initial consideration of large procurement related projects, defined as non-property related projects between the value of £100,000 and £20,000,000, including the consideration of initiation documents, full business cases and specification and the consideration of procurement projects where there is a TUPE transfer by the Council.
- (b) To authorise officers to issue specification and invitations to tender and, where within budget, to make an award of contract to the tenderer assessed as providing the highest score against the agreed MEAT (most economically advantageous tender) criteria in respect of large procurement projects.
- (c) To promote, oversee and monitor performance improvement regarding the full range of procurement activities, including Capital, Social Care and ICT projects, involving receipt of reports concerning.
- (d) To oversee and monitor procurement and contract activity, including:

- (i) reviewing the S151 Officers decisions to waive Contract Procedure Rules;
 - (ii) review of tenders and award of contracts on behalf of Cabinet in accordance with the Scheme of Delegation;
 - (iii) approval of contract variations, extensions and novations;
 - (iv) benefit realisation (post implementation) reviews;
 - (v) contract performance management; and
 - (vi) the commissioning cycle.
- (e) To review, approve or make recommendations to Cabinet concerning the Procurement Strategic Plan and the Procurement Forward Plan.
 - (f) To review the Contract Procedure Rules from time to time and make recommendations for change to Council.
 - (g) To advise the Cabinet on all matters concerned with procurement generally and to make recommendations on any of the above matters to (as appropriate) the Cabinet or Council.

In acting under the Committee's terms of reference and in exercising responsibility for those functions listed above, the Authority's Procedure Rules, any limitations on authority and all legislative requirements and applicable rules of law must be complied with.

AGENDA

1. Apologies

2. Minutes

To approve, and the Chair to sign as a correct record, the Minute of the meeting of the Cabinet Procurement Committee held on 6 November 2012 (Item 2) (**Pages 6 to 10**).

3. Disclosure of Interests

Members to declare any disclosable pecuniary interests, or personal interests (including other pecuniary interests), they may have in the business to be transacted, and officers to disclose any interests they may have in any contract to be considered.

4. Invitation of Tenders for Springfield Court Roof Works

To consider Item 4 (**Pages 11 to 16**)

5. Invitation of Tenders for Queen Eleanor Street / London Road/High Street Junction (Stony Stratford) Improvement Works

To consider Item 5 (**Pages 17 to 20**)

6. Invitation of Tenders for V10 Brickhill Street / Japonica Lane Junction (Willen) Improvement Works

To consider Item 6 (**Pages 21 to 24**)

7. Invitation of Tenders for the Supply of Asphalt Materials

To consider Item 7 (**Pages 25 to 28**)

8. To consider Inviting Tenders for the Milton Keynes Council Geographic Information System

To consider Item 8 (**Pages 29 to 37**)

9. Use of the Government Procurement Service Framework Agreement for the Archiving and Storage Contract Services.

To consider Item 9 (**Pages 38 to 44**)

Notice of Intention to Hold the Meeting in Private

The public and press may be excluded from the remainder of the meeting by virtue of Paragraph 3 (Information Relating to the Financial or Business Affairs of the Authority) of Part 1 of Schedule 12A of the Local Government Act 1972, in order that the Committee may consider the Annexes to the following reports:

- (a) Lift Enhancements at Saxon Court – Award of Contract
- (b) CMK Paving under Highways Small Works Contract – Award of Contract
- (c) Superimposed Road Markings – Award of Contract

The Proper Officer of the Council has determined that the *Annexes* should be considered in the absence of the public and press by virtue of Paragraph 3 (Information Relating to the Financial or Business Affairs of the Authority) of Part 1 of Schedule 12A of the Local Government Act 1972, as disclosure would not be in the public interest.

No representations have been received about why those matters referred to above should be considered with the public and press present.

10. Exclusion of Public and Press

To consider excluding the public and press from the meeting by virtue of Paragraph 3 (Information Relating to the Financial or Business Affairs of the Authority) of Part 1 of Schedule 12A of the Local Government Act 1972, in order that the Cabinet Procurement Committee may consider the Annexes to the following reports:

- (a) Lift Enhancements at Saxon Court – Award of Contract
- (b) CMK Paving under Highways Small Works Contract – Award of Contract
- (c) Superimposed Road Markings – Award of Contract

11. Lift Enhancements at Saxon Court – Award of Contract

To consider Item 11 (**Pages 45 to 48**)

12. CMK Paving under Highways Small Works Contract – Award of Contract

To consider Item 12 (**Pages 49 to 52**)

13. Superimposed Road Markings – Award of Contract

To consider Item 13 (**Pages 53 to 56**)

14. Extension of Contract for Carers Support Service

To consider Item 14 (**Pages 57 to 60**)

15. Extension of Contract for Independent Advocacy Services

To consider Item 15 (**Pages 61 to 65**)

Minutes of the meeting of the PROCUREMENT COMMITTEE held on TUESDAY 6 NOVEMBER 2012 at 5.30 pm

Present: Councillor A Geary (Chair)
Councillors Bald, Bint and Dransfield

Officers: J Moffoot (Assistant Director [Democratic Services]), J Pryor (Assistant Director [Highways and Transport]), D Wilkinson (Assistant Director [Audit and Risk Management]), M Dolling (Head of Capital and Infrastructure), A Jackman (Interim Head of Highways Services), C Southern (Head of Strategic Procurement), G Oldfield (Project Leader - Education), P Srinivasan (Senior Solicitor) and S Muir (Committee Manager)

Also Present Councillors Edwards and Miles

Members of the Public: 2

PC66 MINUTES

RESOLVED -

That the Minutes of the meeting of the Procurement Committee held on 2 October 2012, be approved and signed by the Chair as a correct record.

PC67 DISCLOSURES OF INTEREST

None.

PC68 INVITATION TO TENDER - HIGHWAYS AND TRANSPORTATION PROCUREMENT OF SMALL WORKS

The Committee considered the options to delegating approval to the Assistant Director of Highways & Transport to proceed to tender for all highways improvement and maintenance schemes to be undertaken using the three contractors named on the Highway Small Works Framework, either through mini tenders or using submitted rates within the framework, dependant on circumstances. The award of all contracts over £100,000 would still be determined by the Committee. The alternative options were:

1. To retain the current system, however for the reasons set out in the report this was not seen to improve service delivery.
2. To delegate the ability to award orders under the framework to the Corporate Director of Community and Wellbeing for works up to £1 million in value. However this was not thought to be appropriate.

3. To go to open tender for all highway schemes, however it was considered this would add considerable additional cost to the Council in delivering the schemes as well as additional costs to the contractors in preparing detailed bids. It would also extend the period to procure the works by at least four months with the Council's Procurement Rules.

RESOLVED -

That approval, in principle, be given to an amendment to the process in considering works to be let under the Highways Small Works framework contract to allow the Procurement Committee to consider delegating authority to accept tenders to the relevant Cabinet Member, in consultation with the relevant officers, including the Council's S151 Officer and the Head of Strategic Procurement, subject to the Procurement Committee having first approved the specification for works and authorised the invitation of tenders, and to the tenders received being within the allocated budget.

PC69

INVITATION TO TENDER - WOLVERTON STATION, CAR PARK AND DRAINAGE WORKS

The Committee considered the options for starting the processes for procurement of works to complete the car park and drainage works at Wolverton Station.

It was noted that not to complete the work would further damage the Council's reputation as an undertaking to complete the works had already been given and if not completed would leave the car park in an unacceptable condition.

The Committee noted that to complete the works using the contractor that built the station building was not appropriate as the works were part of a larger package of works required to complete the project. It was also noted that additional funding approval for this project would be requested at the Cabinet meeting on the 28 November 2012, therefore the contract would not be awarded until after this funding had been approved.

It was reported that the current procurement procedures could further delay the award the contract for the works and damage the Council's reputation.

RESOLVED –

That the process agreed at PC68 above be applied to the works to be let to complete the car park and drainage works at Wolverton Station.

PC70 REPORT ON THE CONTRACT PROCEDURE RULES WAIVED BETWEEN 1 APRIL AND 20 OCTOBER 2012

The Committee considered the exemptions to Contract Procedure Rules granted between April and 20 October 2012 as set out in the terms of reference for the Committee and in Section 20.1.3 of the Contract Procedure Rules.

RESOLVED -

1. That the exemptions granted since April 2012, be noted.
2. That this report on exceptions be a regular item on the Committee's agenda.

PC71 THE FEDERATION OF SMALL BUSINESSES SURVEY

The Committee considered the Federation of Small Businesses (FSB) survey of public sector procurers in 2012 that indicated that the time and cost incurred in tendering was a major barrier to participation. Milton Keynes had participated in this survey.

The Committee noted that the FSB had issued the findings of the survey with a number of recommendations and that the report set out the Council's position in relation to these, and the further action needed in the future.

RESOLVED -

That the responses to the Federation of Small Businesses Survey recommendations, and the significant improvements already made in this area under which 67% of recommendations have already been met, be noted.

PC72 EXCLUSION OF PUBLIC AND PRESS

RESOLVED -

That the public and press representatives be excluded from the meeting by virtue of Paragraph 3 (Information relating to the Financial or Business Affairs of the Authority) of Part I of Schedule 12A of the Local Government Act 1972, in order that the Committee may consider the following:

- (a) Annex to Item 10 (Award of Contract - Extension Works: Shepherdswell Academy, Springfield)
- (b) Annex to Item 11 (Award of Contract - Extension Works: Loughton Manor First School)

PC73 AWARD OF CONTRACT - EXTENSION WORKS: SHEPHERDSWELL ACADEMY, SPRINGFIELD

The Committee noted that there would be insufficient school places for children starting school in Milton Keynes for the first time in September 2012. Shepherdswell Academy had proposed to expand the number of places that it offered to children starting school (from 45 to 60) with effect from September 2012. This expansion required

an extension to the existing school infrastructure by September 2013 as the school could accommodate the initial intake in September 2012 within its current accommodation.

The Committee noted that the proposal to expand had been subject to a consultation with all stakeholders which was broadly positive.

The Committee also noted that during the course of the consultation period Shepherdswell First School received formal permission from the Department for Education (DfE) to become an academy with effect from September 2012. The school had agreed a funding agreement with the DfE that meant that the admission number would be 60. The school was no longer maintained by the local authority so the Council need take no further action to legally secure the expansion. However, it had received capital funding in the form of "Basic Need" grant to fund the provision of new places in both schools and academies.

RESOLVED –

That the contract for the capital building project at Shepherdswell Academy be awarded to the highest scoring tenderer, in accordance with the Most Economically Advantageous Tender (MEAT) criteria.

PC74

AWARD OF CONTRACT - EXTENSION WORKS: LOUGHTON MANOR FIRST SCHOOL

The Committee noted that there would be insufficient school places for children starting school for the first time in September 2012. Loughton Manor First School had proposed to expand the number of places that it offered to children starting school (from 60 to 90) with effect from September 2013. This expansion required an extension to the existing school infrastructure. The proposal to expand had been subject to a consultation with all stakeholders which was broadly positive.

The Committee also noted that a delegated decision was taken to publish a statutory proposal on 11 September 2012. A four week representation period followed the publication of the proposal, which ended on 24 October 2012. A final decision regarding the expansion would be taken on 13 November 2012. The Committee was invited to determine to whom the contract might be awarded should the expansion go ahead in readiness for the award to be made should the decision be positive. No contract would be entered into with the contractor until after approval of the expansion.

RESOLVED -

1. That the contract for the capital building project at Loughton Manor First School be awarded to the highest scoring tenderer in accordance with the Most Economically Advantageous Tender (MEAT) evaluation, subject to a decision being made to implement the proposal to expand on 13 November 2012.

2. That approval for any works carried out in advance of planning permission being received be delegated to the relevant Cabinet Member.

THE CHAIR CLOSED THE MEETING AT 7.00 PM

DRAFT

Wards Affected:

Campbell Park

REMEDIAL ROOF WORKS TO SPRINGFIELD COURT SHELTERED HOUSING SCHEME - DECISION TO PROCEED TO TENDER INVITATION TO TENDER - REMEDIAL WORKS TO SPRINGFIELD COURT

Author: Derek Beaumont, Partnering Manager; Tel: (01908) 253522

Executive Summary:

This report is seeking approval to commence the tender process in accordance with the Council's Contract Procedure Rules and Financial Regulations.

The roof covering to the communal corridor at Springfield Court sheltered housing scheme is beginning to fail and requires extensive remedial work as it can no longer be maintained. The cost is estimated to be £200,000. The roof will be refurbished, incorporating improved insulation which will contain heat loss more effectively and any changes required by building regulations.

If a contract is awarded using Lot 2 of the Planned Maintenance and Improvements Works Framework (CU2194) the work will commence in this financial year enabling capital spend to be closer to budget and mitigating further deterioration.

Alternatively, going out to full tender will take several months so the works could not commence in the current financial year, requiring slippage to 2013/14. This would result in continuing water penetration and consequent deterioration of the artex ceilings which contain asbestos. Inconvenience and risk to the elderly tenants of the scheme could result.

The preferred option is to use the Planned Maintenance and Improvements Works Framework.

1 Recommendation

- 1.1 That tenders be invited for the contract for the refurbishment of the communal roof on Springfield Court, using a mini-competition among contractors appointed to Lot 2 of the Planned Maintenance and Improvements Works Framework (CU2194).

2 Issues

- 2.1 Springfield Court is a sheltered housing scheme located in Ravensbourne Place, Springfield. A single storey structure built in the late 1970s, it comprises 27 one-bedroom flats arranged along either side of a central corridor. This corridor has roof lights providing natural light with the building
- 2.2 An inspection report produced (February 2012) determined that the roof covering of the building had started to fail and is at risk of serious leakage. The area has temporary ceiling boarding and there is damage to flooring. An average of 13 responsive repairs per annum have been undertaken over the last five years, with costing c. £13,000. The roof also provides lower levels of thermal comfort and these necessary works provide an opportunity to improve, thereby enhancing the comfort of the elderly tenants of the scheme. Major remedial and improvement works are required at an estimated cost of £200,000.
- 2.3 The specification of the new roof is similar to the existing roof but takes into account the requirements of current building regulations: additional insulation will be incorporated to bring it up to a 'warm roof' standard. An extract from the technical report is attached (Annexe).
- 2.4. The following section considers the evaluation criteria & panel for the preferred mini-competition among Framework contractors option. A Delegated Decision Cabinet was taken to approve the appointment of the contractors to the Framework on 24 January 2012, following Cabinet approval on 26 July 2011 to go to tender. The four contractors offer a mix of local based firms, use of local labour and local sub-contracting.
 - 2.4.1 If the preferred option is agreed, the mini-competition evaluation would apply a Price criterion only; i.e. price will be 100% of the score. This is because the four appointed contractors on Lot 2 met the Council's quality procurement requirements when they were awarded Framework status. In order to join the Framework, the Suppliers were evaluated on strict Quality criteria (20% of the overall weighting) including-
 - i). how they would meet the operational requirements of the service;
 - ii). the technical ability, experience and qualifications of their staff;
 - iii). how they would appoint, monitor and review performance of their sub-contractors;
 - iv). how they would they manage waste on site;
 - v). what initiatives they would take to protect the environment and reduce their carbon footprint;
 - vi). how they would ensure the Health & Safety of employees and residents on site;
 - vii). how they develop a strong working partnership with MKC.

2.4.2 A panel comprising Building Services' technical officers, managers as well as service users will evaluate the mini-tenders submitted.

2.3.3 It is estimated that the mini-competition can be completed by January 2013, with contract award in February 2013. The work is expected to take approximately 12 weeks to complete.

3. Alternative Options

3.1 The alternative procurement route is to undertake a full tender exercise. This would take up to 6 months to complete; MEAT evaluation would be in line with MKC procurement and is likely to be at least 70% on price. Using this procurement route, the works will not be undertaken in this financial year and the capital funding allocation would have to be slipped in full to 2013-14. There would be additional work to evaluate repeated quality factors in the MEAT process. The effect on the condition of the property of this delay is that it will continue to deteriorate: this may require emergency repairs, creating risk and inconvenience for the schemes elderly tenants.

4 Implications

4.1 Policy. The tender exercise will be undertaken in accordance with Council procurement and financial policy. The successful award of the contract will allow the Council to continue to meet its obligations as a social landlord.

4.2 Resources and Risk

4.2.1 Estimated cost of the capital works is £200,000. This funding is allocated within the 2012-13 Housing Capital Programme's major Refurbishment Project (9/C/00112), which has Cabinet Agreed Spend Approval of £1,630,120.

4.2.2 The work to be carried out is relatively straightforward, so construction risks are minimal. A lengthy delay due to a full tender may well incur further costs for responsive repairs and increases falls risk to tenants.

Y	Capital	N	Revenue	N	Accommodation
N	IT	N	Medium Term Plan	Y	Asset Management

4.3 Carbon and Energy Management. In line with the carbon and energy management policy, the opportunity will be taken to improve the energy efficiency of the building by incorporating additional insulation into the new roof covering.

4.4 Legal. The Council has no statutory obligation to provide housing under the Housing Act 1985 but if it does it is required to maintain it. This is emphasised under the Housing and Regeneration Act 2008.

4.5 Other Implications. There are no other implications

N	Equalities/Diversity	N	Sustainability	N	Human Rights
N	E-Government	N	Stakeholders	N	Crime and Disorder

Background Papers: Extract from RPS Ltd report: "Springfield Court Reroof Scheme"

SPRINGFIELD COURT: REPLACEMENT & IMPROVEMENT OF FLAT ROOF TECHNICAL ISSUES

Water Ingress

1. An inspection of the roof has shown that the roof felt had failed there is frequent ponding water on the low side in front of the roof lights.
2. The roof lights are single skin Georgian Wired Glass
3. From the "As Built" drawings the roof construction was determined to be 125 x 50 mm joists with 55-5 mm firing pieces on top. This supports plywood decking and roof felt.
4. The joists are supported under the glazed lights by 250 x 75 mm timber beams supported at their mid point by steel posts.
5. The joists have been checked and the section found to be satisfactory.
6. The beams have also been checked and found to be satisfactory except for deflection. This accounts for the ponding on the finished roof.
7. To eliminate the ponding the existing roof should be removed locally to the low side roof lights and new firing pieces fitted custom made to eliminate the dishing in the roof.
8. To prevent ponding the timber beams on the low side should be flitched with steel plates. This will limit the future deflection of the beams.

Insulation and Related Works

9. To improve the insulation to the flat roof increasing the material thickness on top of the roof is necessary.
10. There is a cavity tray and flashing let into the brickwork. The construction detail shows an overlap of 100 mm of flashing and roof membrane. An increase in the roof construction will therefore compromise the required overlap of roof membrane and flashing leading to leakage at the wall positions.
11. To increase the roof thickness / improve insulation, the cavity tray will have to be raised and new flashings installed.
12. Due to the low level of the ceilings in the corridors it is not possible to insulate the underside of the roof joists.
13. Without reconstruction of the whole roof the only way to insulate the roof is to insert 2 layers of insulation into the joist zone to enable the existing services to pass through between the layers.
14. Should the roof construction be increased in thickness, the bathroom windows will need to be bricked up. Additional lights installed in the bathrooms and extract ventilation installed.
15. All flashings to the full perimeter to both the roof and glazing will have to be replaced.

General Issues

16. The new roof lights will be either polycarbonate or double glazed.
17. Fully automatic roof vents should be provided.
18. The new flat roof covering should be Sanafil or similar membrane.
19. In order to carry out the works the whole of the Artex ceiling will have to be removed and new ceilings provided.

INVITATION TO TENDER - QUEEN ELEANOR STREET/LONDON ROAD/HIGH STREET JUNCTION IMPROVEMENT WORKS

Author: Morgan Munyebvu (Traffic Management Project Manager) Tel: (01908) 254470

Lead Officers: Richard Duffill (Traffic Management Team Leader) Tel: (01908) 252561
Rachel Kingsley (Head of Highway Services) Tel: (01908) 252411

Executive Summary:

This report is seeking approval to commence the tender process in accordance with the Council's Contract Procedure Rules and Financial Regulations and seeks authority to delegate the decision to accept tenders and to place relevant orders to the Cabinet Member for Transport and Highways, subject to consultation with the Council S151 Officer and head of Strategic Procurement.

Milton Keynes Council's existing Highways Small Works Framework Contract includes three contractors under a schedule of rates pricing mechanism. This schedule of rates will be used to select the contractor for provision of a roundabout and associated traffic islands at Queen Eleanor Street/London Road/High Street junction, Stony Stratford.

1 Recommendation(s)

- 1.1 That the commencement of the tender processes from the Highways Small Works Framework for the procurement of Queen Eleanor Street/London Road/High Street junction improvement works be approved.
- 1.2 That authority to award the Contract to the preferred bidder for the Queen Eleanor Street/London Road/High Street junction Improvement works be delegated to the Cabinet Member for Transport and Highways, in consultation with the Council's S151 Officer and the Head of Strategic Procurement.

2 Issues

- 2.1 The Council's Constitution requires all procurement in excess of £100,000 to be approved by Cabinet Procurement Committee. This includes both the decision to formally award contracts and the decision to authorise officers to commence tender processes.
- 2.2 This report requests approval to proceed with a mini-tender exercise using the three contractors on the council's existing Highway Small Works Framework contract for the provision of a roundabout and associated traffic islands at Queen Eleanor Street/London Road/ High Street junction, Stony Stratford. The funding for the requirement will be met from the capital budget allocated within 2012/2013 years.

2.3 Subject to consultation with relevant Officers authority is requested for a delegated decision to award the tender for the Queen Eleanor Street/London Road/ High Street junction improvement to the preferred contractor on the Highways Small Works Framework Contract provided the value of the order does not exceed the Cabinet approved expenditure of £135,000.

2.3 Consultation and Policy

2.3.1 The award of this contract will progress the following priorities/outcomes within the Corporate Plan 2012-16:

- CP14 – To have an efficient transport and highways infrastructure
- CP15 - To promote sustainable movement through the borough of Milton Keynes

2.3.2 The draft specification has been developed in partnership with the relevant Cabinet Member and the following key stakeholders:

- Stony Stratford Town Council
- Ward Councillors
- Thames Valley Police

2.4 Specification

2.4.1 The procurement seeks to deliver the following service objectives set out in Local Transport Plan 3:

- Reduction in journey times at peak hours
- Reduction in numbers of people killed or seriously injured through road accidents
- Improvement of the quality of life

2.4.2 The Specification can be summarised as:

- Construction of a roundabout to replace existing junction layout.
- Construction of a traffic island on London Road approach and Queen Eleanor Street approach to the new roundabout to effect vehicle speed reduction

2.5 Evaluation Criteria & Panel

2.5.1 The MEAT evaluation of tenders will be as follows:

- (a) Price @ 100%

2.5.2 Tenders submitted will be evaluated by a panel comprising of the Head of Highway Services, Traffic Management Team Leader and Programme Manager. Colleagues within Finance and Legal and Corporate Procurement will be engaged to support the tender process.

2.6 Contract Terms and Conditions

2.6.1 Tenders will be sought from the three contractors on the Highways Small Works Framework which runs until June 2014.

2.6.2 The Terms and Conditions in the Milton Keynes Council's existing Highways Small Works Framework will be used.

2.6.3 The Council's Senior Client Officer for the procurement will be the Assistant Director of Highways & Transportation

3 **Alternative Options**

The following options appraisal has been conducted:

3.1 To go to open tender for the schemes, however it was considered this would add considerable additional cost and time to the council in delivering the schemes as well additional costs to the contractors in preparing detailed bids. It would also extend the period to procure the works with the council's procurement rules.

4 **Implications**

4.1 Policy

The tenders seek to implement the Contract Procedure Rules adopted by Milton Keynes Council Corporate Procurement in respect of this service.

4.2 Resources and Risk

4.2.1 'The costs of this contract are met from the 2012-13 LTP Capital Programme. The resource allocation is £135,000. The costs identified within this exercise can be contained within the agreed budget.

4.2.2 The Risk Assessment for this contract is available if requested or directly via Members access to GRACE. In summary:

- The key OPPORTUNITY secured by this contract is a fair competition for the provision of the services that will provide good value for money, whilst also providing a safer road network by reducing the risk of vehicle accidents. It is assessed that the delivery of this contract provides a likelihood that will secure the opportunity defined providing MKC with a HIGH positive Impact.
- The key THREATS for this contract have been assessed as:

- Delays in the commencement of the contract due to tender returns being higher than the available budget.
- Delays in the commencement of the contract due to adverse weather.

The governance measures set out in 2.4.2 above provide a basis to conclude that these threats, properly managed represent a LOW Likelihood with a MEDIUM Impact.

Y	Capital	Y	Revenue	N	Accommodation
N	IT	Y	Medium Term Plan	N	Asset Management

4.3 Carbon and Energy Management

N/A

4.4 Legal

The requirement for this tender will meet the Council's statutory obligations under Section 41 of the Highways Act 1980, Section 16 and 17 of the Traffic Management Act 2004 and Section 39 of The Road Traffic Act 1988.

This recommendation complies with MKC rules, UK and European legislation.

4.5 Other Implications

Y	Equalities/Diversity	Y	Sustainability	N	Human Rights
N	E-Government	Y	Stakeholders	N	Crime and Disorder
N	Carbon and Energy Policy				

Background Papers: None

Wards Affected:

Great Linford

INVITATION TO TENDER - V10 BRICKHILL STREET/JAPONICA LANE JUNCTION IMPROVEMENT WORKS

Author: Morgan Munyebvu (Traffic Management Project Manager) Tel: (01908) 254470

Lead Officers: Richard Duffill (Traffic Management Team Leader) Tel: (01908) 252561

Rachel Kingsley (Head of Highway Services) Tel: (01908) 252411

Executive Summary:

This report is seeking approval to commence the tender process in accordance with the Council's Contract Procedure Rules and Financial Regulations, and seeks authority to delegate the decision to accept tenders and to place relevant orders to the Cabinet Member for Transport and Highways, subject to consultation with the Council S151 Officer and head of Strategic Procurement.

Milton Keynes Council's existing Highways Small Works Framework Contract includes three contractors under a schedule of rates pricing mechanism. This schedule of rates will be used to select the contractor for provision of highway widening, central hatch and central traffic islands in Brickhill Street at the junction with Japonica Lane.

1 Recommendation(s)

- 1.1 That the commencement of the tender processes from the Highways Small Works Framework for the procurement of V10 Brickhill Street/Japonica Lane junction improvement works be approved.
- 1.2 That authority to award the Contract to the preferred bidder for the V10 Brickhill Street/Japonica Lane junction improvement works be delegated to the Cabinet Member for Transport and Highways, in consultation with the Council's S151 Officer and the Head of Strategic Procurement.

2 Issues

- 2.1 The Council's Constitution requires all procurement in excess of £100,000 to be approved by Cabinet Procurement Committee. This includes both the decision to formally award contracts and the decision to authorise officers to commence tender processes.
- 2.2 This report requests approval to proceed with a mini-tender exercise using the three contractors on the council's existing Highway Small Works Framework contract for the provision of carriageway widening to accommodate right turning

lane off the V10 Brickhill Street onto Japonica Lane and the Peace Pagoda Car Park, and associated traffic islands on Brickhill Street, Linford South. The funding for the requirement will be met from the capital budget allocated within 2012/2013 years.

- 2.3 Subject to consultation with relevant Officers authority is requested for a delegated decision to award the tender for the V10 Brickhill Street/Japonica Lane junction improvement scheme to the preferred contractor on the Highways Small Works Framework Contract provided the value of the order does not exceed the Cabinet approved expenditure of £233,208.

2.3 Consultation and Policy

2.3.1 The award of this contract will progress the following priorities/outcomes within the Corporate Plan 2012-16:

- CP14 – To have an efficient transport and highways infrastructure
- CP15 - To promote sustainable movement through the borough of Milton Keynes

2.3.2 The draft specification will be developed in partnership with the relevant Cabinet Member and the following key stakeholders:

- Great Linford Parish Council
- Ward Councillors
- Thames Valley Police

2.4 Specification

2.4.1 The procurement seeks to deliver the following service objectives set out in Local Transport Plan 3:

- Reduction in journey times at peak hours
- Reduction in numbers of people killed or seriously injured through road accidents
- Improvement of the quality of life

2.4.2 Subject to final approval, the specification can be summarised as: *(NB TBA with members and community)*

- Widening of V10 Brickhill Street to accommodate dedicated right turn lanes onto Japonica Lane and the Peace Pagoda car park.
- Construction of three traffic islands on V10 Brickhill Street central reserve to protect vehicles in the turning lanes.

2.5 Evaluation Criteria & Panel

2.5.1 The MEAT evaluation of tenders will be as follows:

(a) Price @ 100%

2.5.2 Tenders submitted will be evaluated by a panel comprising of the Head of Highway Services, Traffic Management Team Leader and Programme Manager. Colleagues within Finance and Legal and Corporate Procurement will be engaged to support the tender process.

2.6 Contract Terms and Conditions

2.6.1 Tenders will be sought from the three contractors on the Highways Small Works Framework which runs until June 2014.

2.6.2 The Terms and Conditions in the Milton Keynes Council's existing Highways Small Works Framework will be used.

2.6.3 The Council's Senior Client Officer for the procurement is the Head of Highway Services and the management of the contract will be undertaken by Mouchel under the terms of the Service Level Agreement.

3 **Alternative Options**

The following options appraisal has been conducted:

3.1 To go to open tender for the schemes, however it was considered this would add considerable additional time and cost to the council in delivering the schemes as well additional costs to the contractors in preparing detailed bids. It would also extend the period to procure the works with the council's procurement rules.

4 **Implications**

4.1 Policy

The tenders seek to implement the Contract Procedure Rules adopted by Milton Keynes Council Corporate Procurement in respect of this service.

4.2 Resources and Risk

4.2.1 The costs of this contract are met from the 2012-13 LTP Capital Programme. The resource allocation is £233,208. The costs identified within this exercise can be contained within the agreed budget.

4.2.2 The Risk Assessment for this contract is available if requested or directly via Members access to GRACE. In summary:

- The key OPPORTUNITY secured by this contract is a fair competition for the provision of the services that will provide good value for money, whilst also providing a safer road network by reducing the risk of vehicle accidents. It is

assessed that the delivery of this contract provides a likelihood that will secure the opportunity defined providing MKC with a HIGH positive Impact.

- The key THREATS for this contract have been assessed as:
 - Delays in the commencement of the contract due to tender returns being higher than the available budget.
 - Delays in the commencement of the contract due to adverse weather.

The governance measures set out in 2.4.2 above provide a basis to conclude that these threats, properly managed represent a LOW Likelihood with a MEDIUM Impact.

Y	Capital	Y	Revenue	N	Accommodation
N	IT	Y	Medium Term Plan	N	Asset Management

4.3 Carbon and Energy Management

N/A

4.4 Legal

The requirement for this tender will meet the Council's statutory obligations under Section 41 of the Highways Act 1980, Section 16 and 17 of the Traffic Management Act 2004 and Section 39 of The Road Traffic Act 1988.

This recommendation complies with MKC rules, UK and European legislation.

4.5 Other Implications

Y	Equalities/Diversity	Y	Sustainability	N	Human Rights
N	E-Government	Y	Stakeholders	N	Crime and Disorder
N	Carbon and Energy Policy				

Background Papers: None

Wards Affected: All Wards

CABINET PROCUREMENT COMMITTEE

4 DECEMBER 2012

INVITATION TO TENDER FOR THE SUPPLY OF ASPHALT MATERIALS

Author: Andy McPherson, Highways Operations Team Leader Tel: 01908 252540

Lead Officer: John Harris, Head of Commercial Services Tel: 01908 253565

Executive Summary:

This report is seeking approval to commence the tender process in accordance with the Council's Contract Procedure Rules and Financial Regulations.

The proposal is to utilise and call-off the existing Eastern Shires Purchasing Organisation (ESPO) contract 231 which provides a market tested framework agreement for the supply of asphalt and bituminous material.

The contract to be secured is: Supply of Asphalt Materials (Tarmac for use in highways works delivered by Highways Services). The estimated contract value is £850,000 until March 2014.

Currently there is a waiver in place as the original tender expired in March 2012.

1 Recommendation(s)

1.1 That the commencement of the tender process, for the procurement of Supply of Asphalt and Bituminous Materials CU2323 be approved.

2 Issues

2.1 The Council's Constitution requires all procurement in excess of £100,000 to be approved by Cabinet Procurement Committee. This includes both the decision to formally award contracts and the decision to authorise officers to commence tender processes.

2.2 This report requests approval to obtain tenders for the provision of Supply of Asphalt Materials CU2323. The old HW1 contract has currently expired (31.03.2012). This request is to enable the purchase of asphalt to take place within the council's rules. All costs associated with the tendering process will be met by revenue budget allocated within the 2012/13 year and is expected to be less than £500.

2.3 Consultation and Policy

2.3.1 The procurement seeks to implement the Council's Highways Network Service Plan objective of providing a safer highway network thereby reducing the potential for accidents, delays and future costs to the Council. Specific Key Service outcomes are.

2.3.2 CP14 – To have an efficient transport and highways infrastructure.

2.3.3 CP 15 – to promote sustainable movement through the borough of Milton Keynes

2.3.4 The specification is an existing one on the ESPO contract, checked for suitability by the Highways Operations Team Leader.

2.4 Specification

2.4.1 The procurement seeks to deliver the following service objectives:

- Deliver the highways schemes requiring asphalt materials, both from revenue and capital budgets, on the highway network for 2012/13 and 2013/14, pending the outcome of the OTP externalisation of Highways Services. Utilising the existing ESPO contract 231 will deliver a market tested framework agreement in the shortest possible timescale. The ESPO contract period is 1st January 2012 to 31st December 2013 with an option to extend for a further period or periods totalling no more than 24 months. The anticipated value will be £500,000 per annum. The contract will be a call-off framework agreement with the value depending on the level of works required in each year.

2.5 Evaluation Criteria & Panel

2.5.1 The MEAT evaluation of tenders will be as follows:

- (a) Price @ 60%
- (b) Quality @ 40%

2.5.2 The quality evaluation criteria will also have sub criteria that reflect the relative importance of Health and Safety, competence and ability to deliver with minimal waiting times.

2.5.3 Tenders submitted will be evaluated by a panel comprising of Technical Officers and Highways Operations Manager. Colleagues within Legal and Corporate Procurement will be engaged to support the tender process.

2.6 Contract Terms and Conditions

2.6.1 Utilising the existing ESPO contract 231, the contract period is 1st January 2012 to 31st December 2013 with an option to extend for a further period or periods totalling no more than 24 months. This fits well with the current plans to externalise Highways Services.

2.6.2 The Council's Senior Client Officer for the procurement is Head of Commercial Services and for the management of the contract is Mark Bowater, Highways Operations Manager.

3 Alternative Options

3.1 The following options appraisal has been conducted:

Do Nothing – the Council would be in breach of the EU procurement rules and would not be demonstrating value for money

Procure Contracts through ESPO (preferred option) – this route of procurement would appear to be the quickest and most cost advantaged method of procurement based upon the recent market testing carried out via the framework contract.

Procure Contracts through E-Tendering system – this would take approximately 9 months and would delay the delivery of the existing capital works scheme.

4 Implications

4.1 Policy

The tenders seek to implement the procurement policy in respect of this service.

4.2 Resources and Risk

4.2.1 The costs of this contract are met from the Highway Budget (Revenue) and the Transport Capital Programme. The estimated annual value of the contract is £850,000. This will be a framework agreement; the exact value of the works will vary from year to year.

- The key OPPORTUNITY secured by this contract is Highways Network Improvements, MK Council's statutory duty under section 41 of the Highways Act 1980 to keep the highway in a safe condition and a reduction in insurance claims. It is assessed that the delivery of this contract provides a HIGH Likelihood that a LOW impact will secure the opportunity defined.
- The key THREATS for this contract have been assessed as:
 - Procurement Timeline – Proposal to procure through ESPO will potentially reduce procurement timeline to ensure that capital works are delivered on time.
 - Unexpected increase in volume of works due to unforeseen circumstances. Adjustments to consequent schemes to balance budgets

Y	Capital	Y	Revenue	N	Accommodation
N	IT	N	Medium Term Plan	Y	Asset Management

4.3 Carbon and Energy Management

As set out in the specification, evaluation criteria and risk assessment.

4.4 Legal

The requirement for this tender will meet the Council's statutory obligations to provide Highways Maintenance service under the Highways Act 1980.

This recommendation complies with MKC rules, UK and European legislation.

4.5 Other Implications

N	Equalities/Diversity	Y	Sustainability	N	Human Rights
N	E-Government	N	Stakeholders	N	Crime and Disorder
Y	Carbon and Energy Policy				

MILTON KEYNES COUNCIL GEOGRAPHIC INFORMATION SYSTEM – DECISION TO PROCEED TO TENDER

Author: Bill Errington and Gillian Smith

Tel: (01908) 252612 / 252569

Executive Summary:

This report is seeking approval to commence the tender process in accordance with the Council's Contract Procedure Rules and Financial Regulations.

Tenders will be invited using the Council's E-Tendering system for the provision of a Corporate Geographic Information System (GIS). This will provide the Council with the facilities to maintain and capture geographic information, to display geographic information in a web browser to staff and the public. It will also provide the necessary tools to allow data to be manipulated and analysed and will provide the flexibility to allow all current systems which utilise a mapping component to function effectively.

1 Recommendation(s)

- 1.1 That the commencement of the tender process for the procurement of a Corporate Geographic Information System be approved.

2 Issues

- 2.1 The Council's Constitution requires all procurement in excess of £100,000 to be approved by Cabinet Procurement Committee.
- 2.2 This report requests approval to obtain tenders for the provision of a Corporate Geographic Information System. It is Council Constitution to have a Contract in place and we need to explore the market to see that we have the right tools in place to deliver the service.
- 2.3 In 2007 the Council embarked on a tender exercise for a Corporate Mapping System. The model followed required the successful contractor to deliver a solution which comprised both software and services (training, set-up and implementation, development and documentation). The total cost of the solution was £123,728 (£104,053 on software and maintenance and £19,665 on services and training) a full break down is shown in Annex A. In addition the council purchased software from Envitia which allowed us to rectify our spatial data to the Ordnance Surveys new digital data set Mastermap, this cost £16,680 with £3,630 annual maintenance. The tender excluded the cost of licences for desk top mapping software which were borne by individual departments over time. The annual maintenance of these licences is currently £19,500. This exercise is seeking to deliver a solution which does not include major software up front costs as in the previous tender but spread costs over the five year period as an annual maintenance cost. Spreading it over 5 years doesn't necessarily reduce costs or make savings.

2.4 The successful contractor will be required to provide a solution that fulfils the tender specification, integrating with existing systems and within a maximum annual budget of £51,000 including the cost of maintaining MapInfo and Superpose/Transpose licences or the provision of a suitable alternative. The current revenue spend (See Annex B) on corporate mapping is £51,000 per annum or £255,000 over 5 years.

2.5 Included in the £51,000 is a cost of 40 concurrent and 13 individual node MapInfo licences (£19,500) which IT recover from the services who have access to mapping licences at a per licence cost of £150 per annum. The budget currently resides with the Assistant Director IT and e-Government. This tender seeks to utilise this revenue budget going forward and place a tender which does not exceed this amount per annum, over a five year term.

2.6 Consultation and Policy

2.6.1 The draft specification will be developed in partnership with the relevant Cabinet Member and the following key stakeholders

- Research and Intelligence GIS
- IT Mouchel
- MKC Corporate IT
- Public Access

2.7 Specification

2.7.1 The procurement seeks to deliver the following service objectives:

- Provide timely, accurate and accessible information which supports the provision of services and contributes to policy and strategy development

2.7.2 The Specification can be summarised as:

- Spatial database to hold and manage all datasets
- Intranet solution to make data available to officers
- Internet solution to make data available to the public
- Professional GIS software for use in managing data and mapping
- Tools to allow the management of data views in intranet and internet solution
- Tools to enable the development of mapping links to MKC website

- Metadata model to conform to INSPIRE (INfrastructure for SPatial InfoRmation in the European Community) directive
- Software to manage Ordnance Survey mapping information
- Tools to allow rectification of datasets in regard their positional accuracy, to ensure information aligns with the latest mapping from Ordnance Survey. This ensures greater accuracy, especially for data in rural areas of Milton Keynes Borough
- Be compliant with all MKC systems which rely on being served mapped information, these will be validated by Mouchel IT in liaison with system users.
- The solution must work with the council's virtualised hardware model as there is no funding for hardware purchase.

2.8 Evaluation Criteria & Panel

2.8.1 The MEAT evaluation of tenders will be as follows:

Price @ 40% / Quality @ 60%

Quality to include:

Functional and technical compliance with specification

Robustness and ability to integrate with existing systems

System usability including reference sites

2.8.2 Tenders submitted will be evaluated by a panel comprising IT, technical officers, management and service users. Colleagues within Finance and Legal and Corporate Procurement will be engaged to support the tender process.

2.9 Contract Terms and Conditions

2.9.1 Tenders will be sought for a contract period starting on 01/11/2013 and ending on 31/10/2016. The contract will provide for an extension up to 2 years, on a + 1 + 1 basis to protect the council against a quickly moving market.

2.9.2 The Council's standard software Terms and Conditions for contract will be used and these will be validated by Legal Services prior to issue with the Tender documents.

2.9.3 The Council's Senior Client Officer for the procurement is Director of Strategy and for the management of the contract is Head of Research and Intelligence.

3 Alternative Options

3.1 The following options appraisal has been conducted:

Option 1 – go out to full European open market tender via InTend for the GIS and mapping services described in section 2.3

Option 2 – extend the existing Pitney Bowes contracts for MapInfo, Stratus, PlanWeb on a rolling annual basis.

Option 3 – go out to tender using an existing Government Procurement Services Framework agreement.

3.2 Recommendation

It is recommended that Option 1 is used as this gives access to a wide range of GIS and mapping solution providers who are able to make full use of the current web technologies (eg Google Maps / Bing Maps) and have existing contracts with other UK Local Authorities. This will give the opportunity to take advantage of market developments and new products and test whether we are achieving value for money for the Council.

Option 2 is not viable because the council has been using the Pitney Bowes systems for some time and does not have a mandate to simply extend the current contract.

Option 3 would make the procurement process simpler but a review of the available frameworks concluded that none of them are suitable for the scope of services proposed. The nearest equivalents are the LGSAS and GCloud Specialist Services frameworks but the list of approved suppliers does not include the GIS and Mapping providers known to be successful with other Local Authorities.

4 Implications

4.1 Policy

The Corporate GIS underpins all services across the council and in particular it supports:

- The statutory planning system – Development Management and Development Planning.
- The maintenance of land ownership records
- The maintenance of the councils primary address database the LLPG (Local Land and Property Gazetteer.
- Public Access and Customer Contact Portal
- Neighbourhood and Landscape Management
- Transport Planning

- Spatial Analysis and Service Planning
- Asset Management

4.2 Resources and Risk

The total anticipated contract spend is £51,000 per annum and total contract value £255,000 based on current revenue there are no capital investment costs as the solution will be required to function on the councils existing virtualised computer infrastructure. This cost is covered by existing revenue budget.

Transfer to a system other than that currently used for mapping will incur RISK and cost. The impact on intranet and internet mapping will be significant, with a requirement to rebuild all links to existing mapping features. This will inevitably result in a period when mapping is not available to the Council website or internally to assist teams with service delivery. In particular the impact will be felt widely across Public Access.

Staff training in new skills to a level of competency required to work with new software be that the outcome is critical. In addition to the staff costs of skill training, other costs include the downtime while being trained and time taken to become proficient in new software. All this will further impact timelines, but is unavoidable and will need to take place prior to any work to reinstate mapping links.

Major Council databases that rely on mapping include Planning (Uniform), Environmental Health (APP Flare), Highways and Street Lighting (Confirm), NRSWA (Symology), LLPG, Capita One (Education) and the new Customer Contact Portal. Other applications also have a dependency across the authority. Any future plans to upgrade or replace these systems will have to be cognisant of the new mapping solution when tendering.

4.2.1 The Risk Assessment will be conducted in GRACE. This contract is required, as non-payment of maintenance will leave the Council without the tools to manage mapping information. The Council will not have the capability to serve information to internal desktop applications, PlanWeb intranet mapping or the Council's website. Service delivery that requires input from a geographical spatial search will not be possible. A significant risk for all areas conducting address based searches, in particular Planning, Public Access and the CCP

N	Capital	Y	Revenue	N	Accommodation
Y	IT	Y	Medium Term Plan	Y	Asset Management

4.3 Legal

This tender is required to enable continuity of service for the provision of the Milton Keynes Council Corporate Geographical Information System

This recommendation complies with MKC rules, UK and European legislation.

4.4 Other Implications

Y	Equalities/Diversity	Y	Sustainability	N	Human Rights
Y	E-Government	Y	Stakeholders	Y	Crime and Disorder
Y	Carbon and Energy Policy				

Background Papers: or weblinks to the relevant information

Annex A – Breakdown of costs of the current corporate mapping system purchased in 2007.

Annex B – Available budget for 2012 Corporate Mapping Tender based on current revenue spend.

Breakdown of costs of the current corporate mapping system purchased in 2007.

Order One - Software and Maintenance		
	Software	Maintenance
GeoStore Base	£13,500	£4,218.75
Dotted Eyes Superpose OS MasterMap converter	£8,000	£2,400.00
Oracle Licence	£5,265	£1,315.80
Publisher & Uploader	£5,400	£1,687.50
	£32,165	£9,622.05
Total	£41,787	
PlanWeb Intranet GIS Dual Processor	£25,164	£7,863.75
Edit Module	£2,880	£900.00
	£28,044	£8,763.75
Total	£36,808	
PlanAccess Internet GIS Dual Processor	£19,404	£6,063.75
	£19,404	£6,063.75
Total	£25,468	
Total Price for Products	£104,063	
Total to MapInfo (Now Pitney Bowes Business Insight)	£93,663	
Total to Dotted Eyes	£10,400	
Overall Cost of Software	£104,063	

Order Two - Services		
	Services	
Implementation & Documentation	£5,985	
Administrator Training	£855	
CAPS Interoperability Consultancy	£855	
Total	£7,695	
Implementation & Documentation	£2,565	
Administrator Training & Documentation	£855	
Train the Trainer day	£855	
Total	£4,275	
Implementation & Set up	£1,710	
Administrator Training	£855	
PlanAccess API & Developer Training	£855	
Total	£3,420	

Integration of GeoStore and Symphony GMS including Technical Specification Documentation is estimated at 5 Day's, this may take less and will need further discussions with Aligned Assets.

Development	£4,275	
Total	£4,275	
Total Price for Services	£19,665	

Total Cost	£123,728	
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Order Three – Envitia PAI software		
	Software	Maintenance
Positional Accuracy Improvement software – Maprite – including 12 months maintenance	£16,680	£3630
Total Price for PAI Software	£20,310	

Available budget for 2012 Corporate Mapping Tender based on current revenue spend.

Corporate Mapping System Maintenance (all prices exclude VAT)

Costs carried by Assistant Director IT and e-Government

Item	Cost	Next Due Date	Notes
PAID TO PITNEY BOWES SOFTWARE			
MapInfo licence annual upgrades	£19,500	30/06/2012	£150 collected from all 133 licence holders
PAID TO PITNEY BOWES SOFTWARE – RESULTING FROM CONTRACT FOR CORPORATE MAPPING			
Geostore Maintenance	£4,219	31/10/2012	Corporate Mapping System
Geostore Publisher and Uploader Maintenance	£1,687	31/10/2012	Corporate Mapping System
Oracle ASFU Named	£1,316	31/10/2012	Corporate Mapping System
PlanWeb Maintenance	£7,864	31/10/2012	Corporate Mapping System
Stratus Connect Maintenance	£6,064	31/10/2012	Corporate Mapping System
PlanWeb Edit Module	£900	31/10/2012	Corporate Mapping System
MapExtreme	£5,540	31/10/2012	Corporate Mapping System
Delivery	£15	31/10/2012	Corporate Mapping System
PAID TO DOTTED EYES _ RESULTING FROM CONTRACT FOR CORPORATE MAPPING			
Superpose MasterMap Converter	£4,200	31/10/2012	Corporate Mapping System
Transpose NTF Converter	£275	29/12/2012	Corporate Mapping System
TOTAL – 2012/13	£51,580		
PAID TO ENVITIA – not included in this tender			
MapRite PAI Software Maintenance	£3,630	01/08/2012	Annual maintenance from 2010

Note: The tender will include all of these elements to be delivered in the cost, however, there is one specialist pieced of software, Envitia's MapRite PAI, which will be retained. This software was specifically developed with Ordnance Survey to aid the rectification of previously captured data and is required going forward.

Wards Affected: None

CABINET PROCUREMENT COMMITTEE

4 DECEMBER 2012

USE OF GOVERNMENT PROCUREMENT SERVICE FRAMEWORK AGREEMENT FOR THE ARCHIVING AND STORAGE CONTRACT SERVICES.

Author: Pralene Mavroleon, Sponsorship and Admin Buildings Manager Tel: (01908) 252553

Executive Summary:

The purpose of this report is to seek approval to use the new Government Procurement Service Framework Agreement for the archiving and storage contract Services required for records management for MKC in accordance with the Council's Contract Procedure Rules and Financial Regulations.

1 Recommendation(s)

- 1.1 That use of the new Government Procurement Service (GPS) RM 1689 contract be approved for Document Storage Services, allowing for call off / direct award to meet current services required by Milton Keynes Council,.

2 Issues

- 2.1 The Council's Constitution requires all procurement in excess of £100,000 to be approved by Cabinet Procurement Committee. This includes both the decision to formally award contracts and the decision to authorise officers to commence tender processes.
- 2.2 The Council had utilised the Framework Agreement operated through the Department of Children, Schools and Families for the provision of records management services. This Government Framework agreement expired on the 18th March 2012.
- 2.3 Milton Keynes Council and the incumbent supplier agreed to continue with the current contractual terms until a new Framework Agreement was established by Government Procurement Service. .
- 2.4 A formal tender process was conducted by GPS using the Open Procedure in the Official Journal of the European Union (OJEU); inviting bids in relation to Document Storage and Related Services under the following lots;
- 2.4.1 Lot 1: Off-Site Storage is a single service provider (direct award) lot for the provision of off-site document storage and related services i.e. off the customer's premises. The framework term is four years and any subsequent call off agreements should be limited to no more than 7 years.

- 2.4.2 Lot 2: On-Site Storage is a multiple, three service provider (using further competition) lot for the provision of on-site document storage and related services i.e. utilising the customer's premises/facilities. The framework term is four years and any subsequent call off agreements should be limited to no more than 7 years.
- 2.4.3 Lot 3: Off and On Site Storage is a multiple, three service provider (using further competition) lot for the provision of a composite storage solution combining on-site and off-site document storage and related services. The framework term is four years and any subsequent call off agreements should be limited to no more than 7 years.
- 2.4.4 Lot 4: Document Scanning and Related Services is a single service provider lot, designed to provide customers with document scanning and related services. This lot is reserved for Supported Businesses, Supported Factories or Supported Employment Programmes as referred to in the Public Contract Regulations 2006 [Section 7 Reserved Contracts](#).
- 2.5 The tender process allowed bidders to indicate their particular areas of specialism and the resultant framework is categorised to reflect these areas of specialism. The scope of this Framework covers the physical storage of records both on-site and off site arrangements, including electronic inventory management, intake, retrieval, and destruction. Individual customer requirements will however vary in terms of what they require to be stored.
- 2.6 The Council's E-Tendering (Intend) system will be used to convey documents and communicate with the supplier(s) for this contract; this will ensure an adequate audit trail is kept.
- 2.7 The existing contract costs for the current storage levels are approximately £60k per annum. There will be no increase in costs per cubic foot if the council removed items under this contract assuming the current service storage levels continue.
- 2.8 The framework term is four years and any subsequent call off agreements should be limited to no more than 7 years
- 2.9 The Annex shows an example of actuals from April 2011 to date. If the Council utilises the agreement for a full seven year term the costs be in excess of £100k requiring approval to use the new Framework Agreement and approval to award from the Cabinet Procurement Committee.
- 2.10 Consultation and Policy.
- 2.10.1 The procurement seeks to progress the efficient use of the Office Accommodation supporting the Councils Property Strategy
- 2.11 Specification
- 2.11.1 The specification for the Framework is attached - See annex A and meets the council's requirements. The MKC specification will be detailed in the call off documentation.

2.12 Evaluation Criteria & Panel

2.12.1 The evaluation of the framework will consider the following:

(a) Price and Service Levels.

2.12.2 The call off documents for the framework will be evaluated by a panel comprising of:

(a) Facilities Manager

(b) Document Management Officer

(c) Client Officer for Facilities Management

2.13 Contract Terms and Conditions

2.13.1 The framework agreement which we will be calling off commenced on 23rd April 2012 and is in place for a period of 4 years. However, given the nature of the requirements and the high costs of transitioning to replacement suppliers moving forward, the Framework Agreement has been set up to facilitate call off contracts for a period of up to seven years.

The Contract is for 4 years and the Customer retains an option to extend this Contract for a further three years. The Customer may exercise any such option by giving the Supplier notice of its intention to renew not less than three (3) Months prior to the date when this Contract would otherwise expire

2.13.2 Our call off contract will be sought for a period of Seven years to commence on 18th February 2013.

2.13.3 The contract is up to a maximum of seven years however we have the annual ability to review the benefits of this contract continuing although it is anticipated that it will be existent for a minimum of four years.

2.13.4 The Government Procurement Service RM1689 call off terms and conditions will be used for this contract.

2.13.5 The Council's Senior Client Officer for the procurement is Peter Smettem and for the management of the contract is Mouchel -Facilities Manager – Yvonne Mullens.

3 **Alternative Options**

The Council's CPR's provide that Best Value be obtained and procurement should consider the following alternatives / choices:

- 3.1 Do nothing – This could lead to complications in the service delivery for Archiving with the contract being ceased resulting in a potential financial impact of approximately £50k with additional costs for transportation and labour to allow for exit of the existing contract, in addition to the unknown storage and services costs which will continue. Continuation of the current arrangement will not be in line with MKC procurement regulations. The service cannot be managed internally as there is no internal infrastructure to carry out this process effectively.

The Council could carry out their own tender process. Due to GPS being recently tendered it is not anticipated that a new exercise would add to this. We are not aware that there are any other local solutions available. Using the GPS procurement team minimises any localised labour cost involved in this procurement.

- 3.2 There are two “call off” options available under the terms laid down in the framework agreement - Lot 1 and Lot 3.

Preferred Option - Lot 1- Off site

Advantages

Fixed 2 year period on price, thereafter supplier will agree with GPS new price increase.

Designed specifically for off site storage

Advantages to MKC

No exit costs

No service disruption.

New contact will be in place in a short period of time.

Account holders are aware of the current process therefore no need for change.

Ability to terminate.

Single Supplier who has already passed quality and price evaluation criteria to join the framework.

- 3.2 Alternative Option - Lot 3 On and Off site storage

Advantages

Offers competition that drives value for money.

Ability to terminate.

Disadvantage

Exit costs of approximately £50k plus transportation and labour costs. (There are currently 16 536 boxes in storage.) 20,617.2 CU FT

A total of 20 weeks service disruption to allow for exit process and setup process with new supplier.

The contract price for Lot 3 is higher than Lot 1. (see attached cost analysis information).

On site storage will need to be provided – possible reduction in office area.

Designed for more complex solutions, far in advance to Milton Keynes Council's current requirements, which will levy a premium.

Does not meet the Council's requirements for off site only and is therefore out of specification.

Implications

3.3 Policy

This service supports the Property Strategy in respect of efficient accommodation use.

3.4 Resources and Risk

The value of budget available to fund this contract is approximately £60k per annum.

It is imperative that the council has a reputable company that is able to protect public sector data records.

The proposal is to continue to provide an archiving service to the building users and ensure that archived documents are kept in a safe, fit for purpose location.

To ensure that there is no impact on the revenue budget should an alternative delivery be considered.

This proposal will assist the efficient use of the office accommodation by ensuring that MKC have a reliable Archiving service.

EDRMS (Electronic Document Record Management System) has the potential to reduce volumes of document storage. However there are areas that will still need to keep hard copies.

N	Capital	Y	Revenue	Y	Accommodation
N	IT	Y	Medium Term Plan	N	Asset Management

3.5 Carbon and Energy Management

3.6 The contract recognises that there will be a reduced amount for paper archiving once EDRMS is in place.

3.7 Legal

This contract supports the council's statutory requirements.

To provide a secure, easily accessible process for the safe storage, retention, transportation and retrieval of statutory, legislative and legal documents, not only for the continuity of business for Milton Keynes Council, but also to support their adherence to: (This list is not exhaustive),

✦ Data Protection Act 1998

✦ Freedom of information act

- ✦ Human Rights act 1998
- ✦ Crime & Disorder act 1998
- ✦ Safeguarding Children & Safer Recruitment in education act
- ✦ Caldicott (Social Care principals)
- ✦ Common law duty of confidentiality

To support the above Milton Keynes Council's documents are retained utilising the schedule of retention for Local authorities.

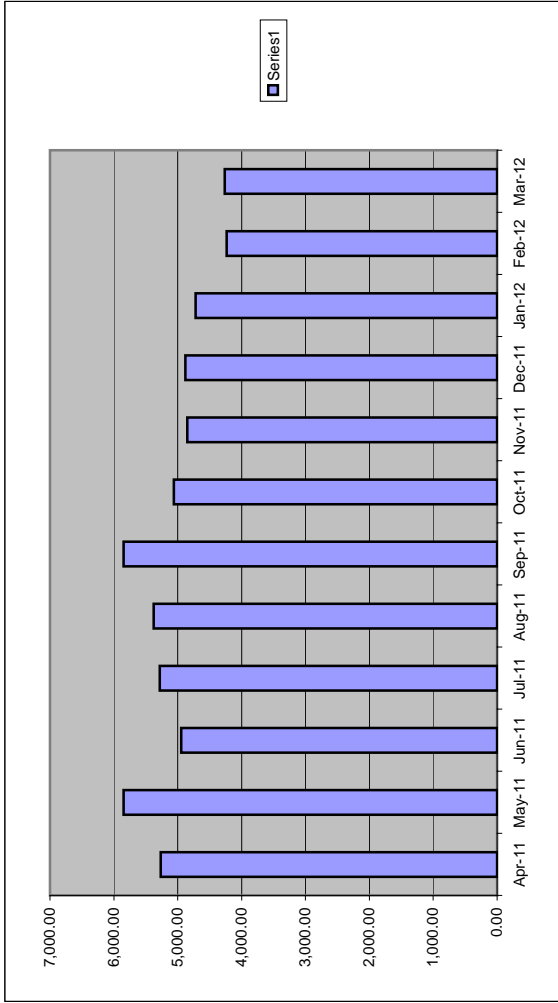
3.8 Other Implications

N	Equalities/Diversity	Y	Sustainability	Y	Human Rights
N	E-Government	N	Stakeholders	Y	Crime and Disorder
Y	Carbon and Energy Policy				

Archiving and Storage Actual Spend Analysis (2011 todate)

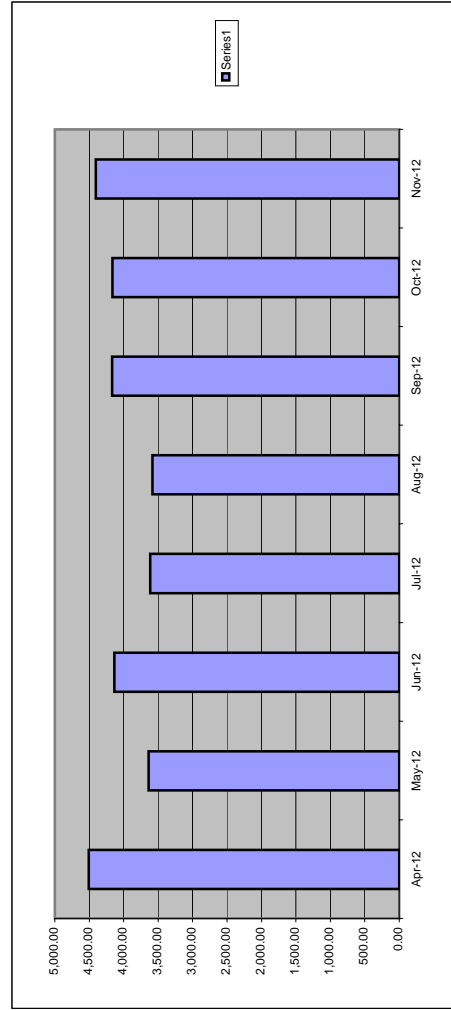
Apr-11	5,266.81
May-11	5,845.91
Jun-11	4,946.54
Jul-11	5,282.75
Aug-11	5,376.67
Sep-11	5,847.07
Oct-11	5,061.96
Nov-11	4,851.36
Dec-11	4,882.16
Jan-12	4,721.25
Feb-12	4,235.32
Mar-12	4,263.68

2011 Total 60,581.48



Apr-12	4,506.06
May-12	3,637.59
Jun-12	4,135.07
Jul-12	3,617.21
Aug-12	3,582.03
Sep-12	4,169.07
Oct-12	4,164.85
Nov-12	4,407.02

2012 Total 32,218.90



Wards Affected: None

CABINET PROCUREMENT COMMITTEE

4 DECEMBER 2012

AWARD OF CONTRACT - FULL ENHANCEMENT OF THE TWO EXISTING PASSENGER LIFTS AT SAXON COURT

Author: Pralene Mavroleon, Sponsorship and Admin Buildings Manager Tel: (01908) 252553

Executive Summary:

The purpose of this report is to seek approval to award the contract for the enhancement of the two existing passenger lifts in Saxon Court in accordance with the Council's Contract Procedure Rules and Financial Regulations.

1 Recommendation(s)

1.1 That the contract for the full enhancement of the north and south lifts in Saxon Court be awarded to the bidder who has scored the highest in accordance with the Most Economically Advantageous Tender (MEAT) evaluation (Annexed).

2 Issues

2.1 No report was submitted to Cabinet Procurement Committee to seek approval to tender this work as at the time the value of the one lift requiring work was significantly underneath the £100,000 threshold.

2.2 A quotation exercise was undertaken via the Council's E-Tendering portal, which identified the potential for achieving best value for money by enhancing both lifts together as one project. The total value of the works includes the lowest contractor tender price plus a professional fee of 11% to manage the contract. The resultant contract value amounts to approx £103,700 and therefore exceeds the £100,000 threshold.

2.3 The additional capital funds were agreed by the Capital Programme Review Panel in September 2012.

2.4 The Council's Constitution requires all contract awards in excess of £100,000 to be approved by Cabinet Procurement Committee. This includes both the decision to formally award contracts and the decision to authorise officers to commence tender processes.

2.5 This report requests approval to award the contract for the enhancement of two lifts as they are both not DDA compliant and have passed their economic life expectancy by 15 years.

2.6 Failure is becoming increasingly common and replacement parts have to be made on demand as they are no longer available.

2.7 There is a member of staff who is a wheelchair user working in the building and officers receive visitors that require this facility.

2.8 Consultation and Policy.

2.8.1 The procurement seeks to progress the efficient use of the Office Accommodation supporting the Councils Property Strategy

2.9 Specification

2.9.1 The specification includes the enhancement of the north and south Saxon lifts within the existing lift shafts. The enhanced lifts will have an auto dialler to benefit users in the event of a breakdown. The buttons on the lift will be user friendly with braille facility and will have a voice activator. The lift will be DDA compliant and will improve the wheel chair access by making the door wider.

2.9.2 Evaluation Criteria & Panel

Tenders submitted have been evaluated by a panel comprising of:

Deputy Facilities Manager

Design and Building Services - Senior Mechanical & Electrical Maintenance Engineer

Client Officer for Facilities Management

2.9.3 Contract Terms and Conditions

Tenders have been submitted through MKC In-Tend system.

The tender specification allows for both lifts to be included in this project. The anticipated programme of works is 28 weeks for each lift. This covers the design, lead in, manufacturing, installation and commissioning time. The lift works will be carried out consecutively in the programme. It is anticipated that the manufacturing process can be done concurrently which may allow for the programme to be reduced.

The most economic advantageous tender has been used to award this contract.

The Council's Senior Client Officer for the procurement is Peter Smettem and for the management of the contract is Building and Design Services – David Fearn.

3 **Alternative Options**

3.1.1 The Council's CPR's provide that Best Value be obtained and procurement should consider the following alternatives / choices:

3.1.2 Do nothing – Enhance the south Saxon lift and continue to reactively maintain the north Saxon lift with an increasing pressure on the revenue budget due to the fact that no spare parts exist and have to be specially manufactured when failure occurs. There is also a time element due to the lack of spare parts. There will come a point when no further maintenance will be possible or experience a critical failure.

3.1.3 The service cannot be managed internally as there is no internal infrastructure to carry out repairs/enhancement effectively

3.1.4 Preferred Option

Complete enhancement of both the north and south lift to make them DDA compliant using the same contractor to allow consistency in any repair and maintenance works as well as value for money on carrying out the lift works within one project. The enhanced lifts will have a warranty of one year. Ad-hoc repair works on the revenue budget have amounted to approximately £16k between March 2010 to date. Carrying out these works will prevent further spends on the revenue budget for repair works. The maintenance costs for the lifts are managed separately though the Mechanical and Engineering Contract which is carried out through the planned preventative maintenance programme.

3.1.5 To enhance both lifts within one project. The age and condition of the lifts and the lack of readily available service parts means that complete failure could happen at anytime. The project would deliver safe guaranteed reliable lifts. The lifts will be DDA compliant. The life of the lifts will be extended by 15-20 years.

4 Implications

4.1 Policy

This project supports the Property Strategy in respect of efficient accommodation use.

4.2 Resources and Risk

4.2.1 The project supports the delivery of all Council services by having Administrative Buildings fit for purpose.

4.2.2 If the works are not carried out it will have an increasing adverse effect and detrimental impact on older people and people with disabilities leading to bad publicity and reputational harm to the Council.

4.2.3 Spend approval was received in September 2012 to spend capital funds of approx £103 700.

4.2.4 There will be no additional expenditure on the revenue budget should these works be carried out.

This proposal will assist the efficient use of the office accommodation by ensuring that MKC have reliable lifts that are DDA compliant.

Y	Capital	Y	Revenue	Y	Accommodation
N	IT	N	Medium Term Plan	Y	Asset Management

4.3 Carbon and Energy Management

The enhanced lifts are anticipated to have a minor reduction in electrical consumption due to the modern technology (relative to the original). Monitoring via the carbon team will occur to confirm.

4.4 Legal

This contract support's the council's statutory requirements keeping the building fit for purpose and DDA compliant.

The procurement of this contract will comply with Contract Procedure Rules, Financial Regulations and applicable European Procurement Regulations.

4.5 Other Implications

Y	Equalities/Diversity	Y	Sustainability	Y	Human Rights
N	E-Government	N	Stakeholders	N	Crime and Disorder
Y	Carbon and Energy Policy				

Background Paper: None

AWARD OF CONTRACT - CMK PAVING

Author: Andy Dickinson, Tel: (01908) 252379

Lead Officer: Rachael Kingsley, Head of Highways Tel: 01908 252513

Executive Summary:

Cabinet approved the Framework for Highways Small Works Contract at the 11th October 2010 meeting. The framework was awarded to three contractors and projects are awarded following an evaluation conducted via the Council's in-tend tendering system.

The CMK Paving contract is for footway reconstruction in Central Milton Keynes for the financial year 2012/13-2013/14 in line with the commitment made by Cabinet on 25th July 2012 to approve spending on footways as part of the overall Transport Infrastructure Investment. This contract for paving work is a top up for existing work currently being carried out by Neighbourhood Services The anticipated value of this of works is £404,000.

The delivery of these works supports the Council's statutory function as the Highway authority to maintain the adopted highway network in a safe condition.

This report seeks approval to award the contract for the reconstruction of city centre footways in accordance with the Councils Contract and Procurement rules and Financial Regulations.

1 Recommendation

That the contract for CMK Paving be awarded to the supplier submitting the lowest price when evaluated under the framework agreement for highways small works (CU2044) (Annexed).

2 Background

- 2.1 In 2010 a framework was awarded (CU2044) to three contractors under a framework agreement for highways small works. The basis of this agreement provided a set of Schedule of Rates that enable schemes to be evaluated and awarded to the lowest bidding contractor. This scheme for CMK paving works draws on this framework agreement and uses the schedule of rates to evaluate and establish the most cost efficient contractor.
- 2.2 At the 25 July 252012 Cabinet meeting, spend approval was given for the Transport Infrastructure Investment in the Highways network. The first phase of this work was identified as being the footways in Central Milton Keynes.

2.3 This report requests approval to award the contract for the first phase of the reconstruction of footways in CMK, this contract supports the delivery of the Transport Infrastructure Investment. The value of works let under this contract will be £404,000.

2.4 This contract falls within the OTP work on modernising the Highways and Transport Service that was included in the Outline Business Case (OBC) for the Highways and Transportation Service considered by Cabinet on the 25th July 2012 which indicated a contract start date of March 2014. The works being undertaken under this contract are likely to fall within scope of the new contract.

2.5 Consultation

2.5.1 By utilising the existing framework agreement for highways small works (CU2044) it was envisaged that Milton Keynes Council would benefit in the delivery of its initial footway investment programme and ensure the most effective value for money process.

2.5.2 The specification for this contract specific to Milton Keynes has been developed by experienced officers in conjunction with national specifications and guidelines, this will ensure that the contract will be able to fully service all the requirements of the authority.

2.6 Market engagement and lessons learnt

2.6.1 The existing framework agreement to provide this service was originally tendered in 2010. The Council has procured this framework agreement in the open marketplace to ensure that the current market was tested to provide this service.

2.7 Tender Evaluation

2.7.1 The prices were evaluated against the schedule of rates under the framework agreement for highways small works (CU2044).

2.7.2 The Tenders were evaluated by a suitably qualified and experienced panel of officers.

2.7.3 The scores for all tenders are attached at the Annex. A summary of the Risk Assessment is set out in section 4.2. The full risk assessment is available on request or via direct access into GRACE. In order to join the original framework agreement back in July 2010, suppliers were scored against Price (75%) and set Quality criteria covering Functional & Technical Compliance with the Specification (15%), Quality Systems (5%) and Environmental Considerations (5%). As the successful suppliers have already passed the Quality criteria, the award of this specific paving work is based on Price only.

2.7.4 The price evaluation of tenders resulted in the following results.

	Evaluated Score	Total score	Ranking
Company AA	90.91	90.91	2

Company BB	100.00	100.00	1
Company CC	55.52	55.52	3

The MEAT evaluation to establish quality was carried out at the initiation of the framework agreement on 01/07/2010. Therefore the award of this work is based on price only.

2.8 Contract Management

2.8.1 The lead officer for the contract will be the Head of Highway Services.

2.8.2 Governance of this project will be under MK Approach, monthly highlight reports will be submitted to the Highways and Transport Programme Board. In addition this project will be reported on monthly to CLT via the corporate Dashboard.

3 Implications

3.1 Policy

The award of this contract will progress the following *priorities/outcomes* within the Corporate Plan 2012-16:

The procurement of the works through this contract assists in delivering the council's Highways Network Service Plan objective of providing a safer highway network thereby reducing the potential for accidents, delays and future costs to the council, specific key service outcomes are :-

CP14 – To have an efficient transport and highways infrastructure.

CP15 – To promote sustainable movement through the Borough of Milton Keynes.

3.2 Resources and Risk

The costs of the works undertaken under this contract will be met from the council's highways capital budget. The total value of the capital project over the two years is £800k, with £404k being undertaken from this contract and the balance by the in house Neighbourhood Services team.

3.2.1 The key OPPORTUNITY secured by this contract is to uphold MKC's statutory duty under section 41 of the Highways Act 1980 to keep the highway in a safe condition and a reduction in insurance claims and minimise disruption to the highway network in Milton Keynes. It is assessed that the delivery of this contract provides a HIGH Likelihood that a LOW Impact will secure the opportunity defined.

3.2.2 The key THREATS for this contract have been assessed as:

- The failure to procure a suitable contractor with the capability and capacity to deliver on time, to the right quality, and to reasonable price these works which will be mitigated thorough the use of the small works (CU2044) framework agreement.

- Failure to Uphold statutory duty - Delay in reconstruction of identified footways in CMK may compromise the councils statutory duty under the highways act.

The governance measures set out above provide a basis to conclude that these threats, properly managed represent a LOW Likelihood or a LOW Impact.

Y	Capital	Y	Revenue	N	Accommodation
Y	IT	Y	Medium Term Plan	Y	Asset Management

3.3 Carbon and Energy Management

EG: The award of this contract contributes to the reduction in our carbon emissions, reduced usage/costs; improved management/use of energy by encouraging use of footways by pedestrians and cyclists and thus reducing journeys by vehicles.

3.4 Legal

The Contract and its procurement are compliant with Council Constitution, UK and European Laws.

3.5 Other Implications

Y	Equalities/Diversity	Y	Sustainability	N	Human Rights
Y	E-Government	Y	Stakeholders	Y	Crime and Disorder
Y	Carbon and Energy Policy				

Background Papers: GRACE Risk Assessment
Price Evaluation

AWARD OF CONTRACT - SUPERIMPOSED ROAD MARKINGS

Author: Andy Dickinson, Highways Network Co-Ordinator Tel: 01908 252379

Lead Officer: Rachael Kingsley, Head of Highways Tel: 01908 252513

Executive Summary:

The contract is for superimposed road markings for the financial year 2012/13 and 2013/14 pending the implementation of the new highways contract, it is essential that external suppliers are procured for the delivery of this element of the service. The anticipated value of the works to be let is £ 250,000 up to March 2014.

The delivery of these works supports the Council's statutory function as the Highway authority to maintain the adopted highway network in a safe condition.

Approval to tender was given by this Committee on the 6th June 2012. The approval included a requirement to assess the tenders on the basis of 75% price and 25% quality in order to ensure both value for money and quality of service.

This subsequent report seeks approval to award the contract for superimposed road markings in accordance with the Council's Contract Procedure Rules and Financial Regulations.

1. Recommendation(s)

- 1.1 That the contract for the delivery of superimposed road markings works for the period up to March 2014 be awarded to bidder 1, (named in the Annex) who has scored the highest in accordance with the Most Economically Advantageous Tender (MEAT) evaluation at 2.7.4.

2. Background

- 2.1 At the meeting of this Committee on the 6 June 2012, approval was given to seek open tenders through Milton Keynes Council's In Tend system for these works and is consistent with the council's current policies and procurement rules.
- 2.2 This report requests approval to award the contract for superimposed road markings, this contract has currently expired (31.03.2012). A waiver to extend this contract was sought and approved to allow both the full tender process to be followed and to ensure continuity of this essential service in the intervening period. The contract for superimposed road markings required to ensure the councils is able to deliver both Road Safety schemes and is able to maintain the existing road makings on its network.
- 2.3 This contract falls within the OTP work on modernising the Highways and Transport Service that was included in the Outline Business Case (OBC) for the Highways and Transportation Service considered by Cabinet on the 25th

July 2012 which indicated a contract start date of March 2014. The works under this contract will fall within the scope of that contract.

2.4 All works to be undertaken under this contract will be met by either council capital or revenue funding within the years 2012/13 and 2013/14.

2.5 Consultation

2.5.1 Officers are aware of the nature of the roadmarking industry - this is a very competitive industry populated by a large number of small to medium sized companies that are bound by national quality standards specific to this industry. By applying an open tender process in conjunction with publication on OJEU it was envisaged that Milton Keynes Council would benefit by testing the open market and ensure the most effective value for money process.

2.5.2 The specification for this contract specific to Milton Keynes has been developed by experienced officers in conjunction with national specifications and guidelines, this will ensure that the contract will be able to fully service all the requirements of the authority.

2.6 Market engagement and lessons learnt

2.6.1 The existing contract to provide this service was originally tendered in 2008. Following the management of this contract the new document has been amended to reflect lessons learnt from the existing. The Council has procured this tender in the open marketplace to ensure that the current market is tested to provide this service. Officers were of the opinion that savings could be made and the quality of work improved through using an open tender process considering the current state of the market.

2.6.2 The existing contract for superimposed road markings expired in March 2012. With the modernisation of the Highways Services contract being procured with the proposed start date of April 2014 there was the need to maintain certain services and the opportunity has been taken through open tendering to ensure we achieved the aims in 2.6.1.

2.7 Tender Evaluation

2.7.1 Tenders were published on the OJEU and invited using Milton Keynes Council E Tendering In Tend.

2.7.2 The tenders were evaluated by a suitably qualified and experienced panel of officers including Andrew Jackman Interim Head of Highways and Andy Dickinson Highways Network Co-Ordinator.

2.7.3 The Evaluation criteria and scores for all tenders are attached at Annex B. A summary of the Risk Assessment is set out in section 3.2. The full risk assessment is available to Members on request or via direct access into GRACE.

2.7.4 The MEAT evaluation of tenders resulted in the following results (note the actual names of suppliers their pricing and a break down of the Quality will be in the confidential annex)

Bidder	Price	Quality	Total	Ranking
--------	-------	---------	-------	---------

A	75.00	15.50	90.50	1
B	53.89	16.70	70.59	3
C	55.67	18.00	73.67	2

2.7.5 The MEAT evaluation used was 75% price and 25% quality. The quality evaluation criteria included sub criteria's that reflect the relative importance of health & safety, competence, ability to deliver, traffic management and service in delivering this work.

2.8 Contract Management

- (a) The lead officer for the contract will be the Head of Highway Services.
- (b) Following revision of the start date for the new highways 'OTP contract' this contract has been written to terminate at the commencement date, it will be possible to extend the contract beyond March 2014 to allow for any slippage that may occur on the implementation of the new 'OTP contract'. Any such extension will be undertaken in accordance with the council's procedures and will come back to this committee for consideration.
- (c) There is no guarantee of work under this contract such that it can be terminated at any point prior to March 2014 if necessary.

3. Implications

3.1 Policy

The procurement of the works assists in delivering the council's Highways Network Service Plan objective of providing a safer highway network thereby reducing the potential for accidents, delays and future costs to the council, specific key service outcomes are :-

CP14 – To have an efficient transport and highways infrastructure.

CP15 – To promote sustainable movement through the Borough of Milton Keynes.

3.2 Resources and Risk

The costs of the works undertaken under this contract will be met from the council's highways capital & revenue budgets. The value of the contract is estimated to be £400k (this is composed of LTP Capital Schemes £300k and revenue maintenance schemes to a value of about £100,000). The exact value of the works will vary from financial year to year dependant on available budgets and the works priorities.

- (a) The key OPPORTUNITY secured by this contract is to uphold MKC's statutory duty under section 41 of the Highways Act 1980 to keep the highway in a safe condition and a reduction in insurance claims and minimise disruption to the highway network in Milton Keynes. It is

assessed that the delivery of this contract provides a HIGH Likelihood that a LOW Impact will secure the opportunity defined.

(b) The key THREATS for this contract have been assessed as:

- The failure to procure a suitable contractor with the capability and capacity to deliver on time, to the right quality, and to reasonable price these works which will be mitigated through the use of this contract.
- Failure to Uphold statutory duty - Delay in re-marking identified roads may compromise the councils statutory duty.

The governance measures set out above provide a basis to conclude that these threats, properly managed represent a LOW Likelihood or a LOW Impact.

Y	Capital	Y	Revenue	N	Accommodation
N	IT	N	Medium Term Plan	Y	Asset Management

3.3 Carbon and Energy Management

As set out in the specification, evaluation criteria and risk assessment.

3.4 Legal

The undertaking of the works under this contract will assist meet the Council's statutory obligations under Highways Act 1980.

The Contract and its procurement are compliant with Council Constitution and United Kingdom and European legislation.

3.5 Other Implications

N	Equalities/Diversity	Y	Sustainability	N	Human Rights
N	E-Government	Y	Stakeholders	N	Crime and Disorder
N	Carbon and Energy Policy				

Background Papers:

Grace Risk Assessment

Evaluation of Tenders

Wards Affected:

ALL WARDS

ITEM **14**

CABINET PROCUREMENT COMMITTEE

4 DECEMBER 2012

EXTENSION OF CONTRACT - CARERS MK, PROVISION OF A CARERS' SUPPORT SERVICE.

Author: Mick Hancock, Assistant Director Joint Commissioning Tel: (01908) 257967

Executive Summary:

This report is seeking approval to extend the contract for the carers support services provided by Carers Milton Keynes for an additional 12 months from April 2013- March 2014.

The contract was originally awarded to Carers MK with the commencement date of 1 April 2010 for 3 years, with the possibility of extension to 31st March 2015.

Carers MK deliver unified carers support service for adult, parent and young carers. Offering local carers access to a range of services including support & social groups, therapies, advice and training.

Service access data demonstrates significant numbers of adult carers, parent carers and young carers are receiving access to information, advice and support in relation to their caring role.

In light of proposed new duties for Local Authorities in the provision of carers support, approval is sought to extend the contract in order that continuity of service is provided whilst Milton Keynes Councils future requirements for carer's services are considered in full.

1. Recommendation(s)

- 1.1 That the extension of the contract for the carers support service until March 2014 be approved.

2. Issues

- 2.1 The Council's Constitution requires all extensions to contract in excess of £100,000 to be approved.
- 2.2 The annual contract value is £235, 000.
- 2.3 Service Outcomes:

Carers MK deliver a range of activities to their users, including 1:1 support & social groups, therapies, information & advice and training in order to achieve the following outcomes;

- (a) Adult Carers are;
 - (i) Respected as expert care partners and have access to the integrated and personalised services the need to support them in their caring role
 - (ii) Able to have a life of their own alongside their caring role
 - (iii) Supported so they don't come into financial hardship by their caring role
 - (iv) Supported to stay mentally and physically well
- (b) Parent carers are;
 - (i) Given timely advice
 - (ii) Given timely support
 - (iii) Directed to other sources of practical, financial and emotional support to assist them in continuing to care for their disabled child
- (c) Young Carers;
 - (i) Are supported in their caring roles and return to accessing universal services as appropriate
 - (ii) Receive coordinated support to ensure the support needs of the cared for are being properly met
 - (iii) With enduring need receive ongoing support.

2.4 Service Access

There are currently 2303 carers recorded on the data base.

A breakdown of carers currently being supported includes,

- (i) 421 parent / carers
- (ii) 220 young carers
- (iii) 1662 adult carers

Carers MK provide on average 2600 recorded instances of support per year – plus additional information and advice over the telephone to a range of carers and professionals across Milton Keynes.

- 2.5 Considerable national drivers to change for carers' support services include, Caring for our Future: reforming care and support and the draft Care and Support Bill (July 2012).
- 2.6 The White Paper and Bill propose new duties for the Local Authorities in the provision of carers support services – which are likely to come into force early 2015.

2.7 The development of a new service specification for carers support service is highly likely.

2.8 Extension of the current contract is required to allow sufficient time to consider requirements of future carers support services in line with Local Authority duties

3.0 Alternative Options

3.1 The alternative option is to not extend the contract and re - tender carer support services. Given the current uncertainty in the delivery of carers services, due to pending legislation, this is not recommended.

4 Implications

4.1 Policy

The extension of this contract complies with adherence to Milton Keynes Council Framework for Commissioning the Third Sector. The service review function is key to ensuring that the future commissioning of services is in tune with policy and strategic objectives.

4.2 Resources and Risk

N	Capital	Y	Revenue	N	Accommodation
Y	IT	N	Medium Term Plan	N	Asset Management

The annual financial allocation to Carers MK to provide a Carers Support Service is £235, 000.

The financial allocation is as follows,

Adult Carers: £165,000 / year

Parent Carers: £10,000 / year (Children & Families contribution)

Young Carers: £60,000/ year (C&F contribution)

Carers MK are currently involved in the implementation of the Independent Project. An EU funded project to help older carers (age 55+) become more confident in using technology to access carer support. A significant investment into a data base has been made. To not extend the contract with Carers MK would be detrimental to this project.

4.3 Carbon and Energy Management

The provider does not operate from Council buildings

4.4 Legal

The statutory powers under which this service is provided include:

- The Carers Act 2004, which gives carers more choice and better opportunities to lead a more fulfilling life by ensuring they receive

information about their rights under the Carers and Disabled Children 2000 Act.

- The NHS and Community Care Act 1990 which establishes support for carers as a national priority.

4.5 Other Implications

None

N	Equalities/Diversity	N	Sustainability	N	Human Rights
N	E-Government	N	Stakeholders	N	Crime and Disorder

5.0 Background Papers: None

Wards Affected:

All Wards

PEOPLE'S VOICES – PROVISION OF INDEPENDENT ADVOCACY - EXTENSION OF CONTRACT

Author: Mick Hancock, Assistant Director, Joint Commissioning Tel: (01908) 257967

Executive Summary:

This report is seeking approval to extend the contract for the independent advocacy services provided by People's Voices for an additional 12 months from April 2013- March 2014.

The contract was originally awarded to People's Voices with the commencement date of 1 April 2009 for 3 years and was extended for one year. It is now recommended that there is a further extension to 31st March 2014.

The contract enables the delivery of advocacy to people who are unable fully to put forward their own views about their needs and services. Part of the service meets statutory requirements for advocacy provision under the Mental Capacity Act (2005) and the Mental Health Act (2007).

Monitoring data demonstrates steady growth in the numbers of users and the hours of advocacy delivered. Contract monitoring and service review suggests that outcomes for service users are being met.

This extension will enable emerging proposals for integrated social care and health advocacy service to be analysed and implemented.

1. Recommendation(s)

- 1.1 That the extension of the independent advocacy service contract until March 2014 be approved

2. Issues

- 2.1 The Council's Constitution requires all extensions to contract in excess of £100,000 to be approved.
- 2.2 The annual contract value is £170,418.
- 2.3 Background

Advocacy services for specific groups were previously delivered through a range of small contracts and grant funding arrangements. They were brought together in 2009 into one contract, awarded to People's Voices, to avoid service gaps and to provide economies of scale.

Service review processes have investigated both activity and quality of outcomes throughout the contract.

2.4 Service Description:

People's Voices provides generic instructed advocacy to people who may have a range of disabilities, mental health needs or an inability to fully express their wishes and needs.

The major areas of generic advocacy work are concerned with:

- Housing & Accommodation
- Care & Care issues
- Benefits
- Family
- Financial
- Hospital Treatment/Discharge
- Child custody/child protection
- Support at meetings
- Complaints
- Debt
- Employment/Employer

People's Voices also provides non instructed advocacy to people who do not have the mental capacity to express their wishes or the ability to communicate them effectively. This includes Independent Mental Capacity Advocates (IMCAs). This provision is a statutory requirement.

IMCAs are involved when a person, who does not have capacity to make their own decisions or family to support them in this, has to decide about a serious issue such as a move from their own home to residential care. IMCAs also act under the Deprivation of Liberty Safeguards 2009.

A second statutory requirement is the provision of IMHAs, who support people who are detained under the Mental Health Act to understand and implement their rights.

The contract also allows for the management and support of the Mental Health Service User Development Worker. This role enables people who use Mental Health services to contribute to service developments and strategic planning.

2.5 Service Outcomes

In addition to supporting individual users to resolve issues and make changes that benefit their wellbeing, additional service outcomes are:

- Improved self esteem
- Increased confidence
- Increased understanding of interactions with professionals
- Understanding of the advocacy role

- Service expectations

These outcomes have been agreed for measurement in 2012-13.

2.6 Service Outputs

The following figures demonstrate the number of people who have benefitted from advocacy services provided by People's Voices:

(a) Contract year 1: 2009-2010

	Number of Hours	Number of Service Users
Generic Advocacy	2971.35	292
IMHA	85.25	29
IMCA	698.5	57
TOTAL	3755.1	378

(b) Contract year 2: 2010-2011

	Number of Hours	Number of Service Users
Generic Advocacy	3485.32	347
IMHA	187.75	46
IMCA	546.3	48
TOTAL	4219.37	441

(c) Contract year 3: 2011-2012

	Number of Hours	Number of Service Users
Generic Advocacy	3924	457
IMHA	384	139
IMCA	610	59
TOTAL	4918	655

(d) Contract year 4: 2012-2013 (quarters 1 and 2)

	Number of Hours	Number of Service Users
Generic Advocacy	1614.5	267
IMHA	198.75	90
IMCA	343.5	37
TOTAL	2156.75	394

The output data, combined with service review and ongoing contract monitoring, suggest that the service gives value for money.

2.7 Policy Drivers

In addition to the provisions of the Acts mentioned above, recent guidance following the revelations about Winterbourne View requires increased access to advocacy for vulnerable people.

3.0 Alternative Options

- 3.1 The alternative option is not to extend the contract and re-tender advocacy services for April 2013.
- 3.2 This option would not allow for expected changes in the requirements for advocacy provision for people in receipt of health services. Tendering for these two provisions together would improve both the effectiveness and economy of future services.

4 Implications

4.1 Policy

The extension of this contract complies with adherence to Milton Keynes Council Framework for Commissioning the Third Sector. The service review function is key to ensuring that the future commissioning of services is in tune with policy and strategic objectives.

4.2 Resources and Risk

N	Capital	Y	Revenue	N	Accommodation
N	IT	N	Medium Term Plan	N	Asset Management

The annual financial allocation to People's Voices to provide an independent advocacy service is £170,418. In 2009, the following budgets were brought together for this purpose:

Mental Health including IMHA (£38,000)

Service User Development Worker (£23,528)

IMCA/DoLS (£41,000)

Learning Disability (£29,000)

Older People (£10,000)

Physical and Sensory Disability (£28,890)

4.3 Carbon and Energy Management

The provider does not operate from Council buildings

4.4 Legal

The statutory powers under which this service is provided include; those referred to above

4.5 Other Implications

None

Y	Equalities/Diversity	N	Sustainability	Y	Human Rights
N	E-Government	N	Stakeholders	N	Crime and Disorder

5.0 Background Papers:

None used.