



Report of: Civic & Community Buildings Manager

Meeting:

Date of meeting: 29th March 2012

SUBJECT: To approve the invocation of CPR 8.5 and the use of a Non Approved Framework Agreement, OGC Buying Solutions framework (Best Priced Supplier) for the supply of Plumbed in Water Machine- 3 year rental option including repairs and maintenance and 2 sanitisations per annum

This Report is for;

Advice/consideration prior to taking a Key or Major decision or reporting to a Committee

Significant Operational Decision

Administrative Decision

Decision to be taken by:

Full Council	<input type="checkbox"/>	Corporate Governance and Audit Committee	<input type="checkbox"/>
Executive Board	<input type="checkbox"/>	Standards Committee	<input type="checkbox"/>
An Area Committee	<input type="checkbox"/>	Member Management Committee	<input type="checkbox"/>
A Regulatory Committee	<input type="checkbox"/>	A Relevant Chief Officer using delegated authority	<input checked="" type="checkbox"/>

EXECUTIVE SUMMARY

1. Subject to this report herewith, Resources, Facilities Management wish to invoke CPR 8.5 and use a Non Approved Framework Agreement, the OGC Buying Solutions framework, and award a 3 year contract to the preferred provider, as a result of a price evaluation for the supply of plumbed in water machines for the Civic and Community portfolio.
2. Due to time constraints, the use of the Framework Agreement is deemed the most effective method of procuring these services with the timescales. The Framework consists of 12 organisations that have experience of carrying out this type of work.

1.0 PURPOSE OF THIS REPORT

- 1.1 CPR 8.5 refers to the following: 'Where the use of a Non Approved Framework Agreement is to be considered the relevant provisions of CPR 6 and seek written approval to use the Non Approved Framework Agreement from the Relevant Chief Officer by submission of an Invocation/Waiver Report and associated Delegated Decision'.
- 1.2 This report is to request, as per CPR 8.5, the use of a Non Approved Framework Agreement, the OGC framework, to procure Plumbed in water machines. In addition this report seeks approval to award a 3 year contract to the preferred provider identified through a price evaluation under the above framework.

2.0 BACKGROUND

- 2.1 The current plumbed in water machine contract is due for renewal at the end of March 2012 with no option to extend. The current provider Bronte Water has been the sole provider to the Civic and Community Buildings portfolio for the last 3 years. I can confirm other Leeds City Council Directorates also use Bronte Water and other organisations across various sites. This appears to be standard practice.
- 2.2 At present Bronte Water charges £141 per annum for both table top and floor standing machines under a rental option that includes a full repairs and maintenance provision. Total for 3 years £423 per machine.
- 2.3 As part of the analysis a review of the 12 organisations on the Framework were assessed and evaluated to ensure compliance with the technical specification. Nine organisations met the criteria and technical specification. Based on the Best Priced Supplier, I can advise Horizon Water delivered the best value in terms of meeting the required specification for plumbed in water machines.
- 2.4 I can advise Horizon Water current costs are:
- Floor Standing Machine £115.44 per annum inclusive of full repairs and maintenance. Total for 3 years £346.02. A saving of £76.68 per machine
 - Desk Top £122.40 per annum inclusive of full repairs and maintenance. Total £367.20 per machine a saving of £55.80 per machine.

This will deliver savings for 29 Floor standing machines of £2223.72 and £223.20 for 4x desk top machines. Combined savings of £2446.92 over 3 years for Resources, Facilities Management. I can confirm there is budget provision to fund for 2012/13.

- 2.5 As part of the current review Corporate Procurement and Resources Facilities Management have referred to at two different frameworks. 1) ESPO and secondly, the Buying Solutions Framework. This involved a review of the plumbed in water machine specification. At this point in the review a decision was made to use the Buying Solution Framework based on Best Price.

3.0 REASON FOR CONTRACTS PROCEDURE RULES WAIVER/INVOCATION

3.1 There is currently no internal Framework Contract or Approved List in place for a supplier for Plumbed in Water Machines. The decision to use the OGC buying solutions provides the council with the opportunity to use pre selected suppliers of these services without having to develop its own Pre Qualification Question and selection process. This will allow the transition to the Plumbed in water machines supplier based on Best Price.

4. CONSEQUENCES IF THE PROPOSED ACTION IS NOT APPROVED

4.1 Should the decision not to approve the invocation of procurement rule 8.5 not be approved the council will have to develop it's own Pre Qualification Questionnaire which will then have to be circulated to suppliers for completion followed by an evaluation process prior to undertaking a tendering process. The OGC buying solutions allows the council to deal directly with 12 established and vetted organisations without going through the Pre Qualification stages. In addition the current arrangement with the existing contractor will be deemed an implied contact past the 31 March 2012.

5. ADVERTISING

5.1 Officers within Corporate Procurement have advised there is no requirement to advertise this contract if the OGC buying solutions portal method is used.

6. LEGAL IMPLICATIONS

6.1 The Chief Procurement Officer has advised that it would be lawful for the Council to waive Contracts Procedure Rule 8.5 in these circumstances, provided that the Chief Officer of Democratic and Central Services is satisfied that there are compelling reasons to do so.

7. RECOMMENDATION

The Chief Officer of Democratic and Central Services is recommended to approve and award the contract to Horizon Water based on the OGC Buying Solutions framework for the supply of plumbed in water machines for the Civic and Community portfolio based on price.

Corporate Procurement has advised an internal administrative decision is required.

8. Background Papers

None

