

Report of Transport & Engineering Manager (Acting)

Report to Chief Officer Parks and Countryside

Date: 4 May 2017

Subject: Procurement of 10x Tractor Mounted Cylinder Mowers – Waiver of Contracts Procedure Rule 9.1 and 9.2

Are specific electoral wards affected? If relevant, name(s) of ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. The Chief Officer for Parks and Countryside is recommended to approve the waiver of Contracts Procedure Rule No 9.1 and 9.2 – High Value Procurement – to enter into a contract for the procurement of a 10x Tractor Mounted Cylinder Mowers direct from the manufacturer, Lloyds & Co.
2. This report would allow the use of the exclusive supplier in relation to the provision of a bespoke machine used for the purpose of tractor mounted grass cutting. This will allow the service to continue to operate a specialist machine without the need for a formal tender exercise.
3. Parks & Countryside already have existing Tractor Mounted Cylinder Mowers.
4. The existing Tractor Mounted Cylinder Mowers have reached the end of their economic life. Agreement on a new machine will reduce current downtime and expenditure through a replacement program.
5. The overall cost for the procurement of 10x Tractor Mounted Cylinder Mowers is set out within the confidential appendix and is attached to this report and forms part of the P&C capital replacement programme.

Recommendations

6. The Chief Officer for Parks and Countryside is requested to use the authority set out in Contract Procedure Rule (CPR) 1.3 to waive Contracts Procedure Rule No 9.1 and 9.2 – High Value Procurement – to enter into a contract for the procurement of Tractor Mounted Cylinder Mowers direct from the manufacturer, Lloyds & Co.

1 Purpose of this report

- 1.1 To request the Chief Officer of Parks and Countryside to note the contents of this report and to approve the waiver contracts procedure rule 9.1 and 9.2 - High Value Procurement – to enter into a contract for the procurement of a Tractor Mounted Cylinder Mowers direct from the manufacturer, Lloyds & Co.

2 Background information

- 2.1 Leeds City Council operates 13 Tractor Mounted Cylinder Mowers for the use in city wide grass cutting operations.
- 2.2 The current machines were procured between 1995-2000 with the majority reaching the end of their economic life.
- 2.2 There is no internal provider who can provide this service and there is now a need to replace the existing specialist machines.

3 Main issues

3.1 Reason for contracts procedure rules waiver

- 3.1.1 The Operations team has trialed and demonstrated alternative machinery, but no other manufacturer produces a similar suitable machine. Lloyds & Co. are the only dealer within the UK who manufactures non-powered Tractor Mounted Cylinder Mowers that meets the dimensions required for site access.
- 3.1.2 Quotations have been sought from the supplier for procurement. Evaluation from the Transport & Engineering Manager results in a preferred procurement option.

3.2 Consequences if the proposed action is not approved

- 3.2.1 Should approval not be given to waiver Contract Procedure Rule 9.1 and 9.2 there is a significant business risk that the service would be unable to continue grass cutting operations to current standards and achieve the overall income target.

3.3 Advertising

- 3.3.1 It is not proposed to advertise this opportunity for the reasons set out at section 3 above.

4 Corporate considerations

4.1 Consultation and engagement

- 4.1.1 There is no requirement for consultation and engagement with regard to this waiver.

4.2 Equality and diversity / cohesion and integration

4.2.1 The outcome of this process does not affect any of the protected characteristics and will have no effect on equality and diversity, cohesion or integration of our customers.

4.3 Council policies and city priorities

4.3.1 The waiver of the Council's Contracts Procedure Rules in relation to the procurement of a Tractor Mounted Cylinder Mowers direct from the manufacturer, Lloyds & Co. and this report draws attention to co-ordinated working that demonstrates a contribution towards the following priorities contained in the City Priority Plan:

- Best city for communities:
- Best city to live:
- Best Council Plan 2015 to 2020
- Vision for Leeds 2011 – 2030

4.4 Resources and value for money

4.4.1 The procurement of this plant equipment represents value for money in respect to income generation for grass cutting operations and is within the current EU threshold. These are the only cylinder mowers that will fit on the existing tractor fleet frames.

4.4.2 The procurement costs of this machinery will come direct from the capital budget 32003/PKS/COM for 2017/18.

4.5 Legal implications, access to information and call in

4.5.1 This report forms part of the detail that is set out within the DCR report which is a key decision and is subject to call-in. The call in period expires for the DCR report on Wednesday 10th May 2017.

4.5.2 Although there is no overriding legal obstacle preventing the waiver of CPR 9.1 and 9.2 the content of the report should be noted. In making their final decision, the Chief Officer of Parks Countryside should be satisfied that the approved course of action represents best value for the council.

4.6 Risk management

4.6.1 The risk associated with this waiver is thought to be low given the specialist nature and quality of the machine available to maintain grass cutting standards and maintain the income targets.

4.6.2 Any future procurement for the Lloyds sets will need to be included as part of a wider tender process in preparation for when the existing framework expires in November next year.

5.0 Conclusions

5.1 It is considered that the best way forward at present for the Council is to procure through the manufacturer, Lloyds & Co, for the procurement of Tractor Mounted

Cylinder Mowers. These are the only cylinders that will fit on the existing tractor fleet frames.

6.0 Recommendations

- 6.1 The Chief Officer for Parks and Countryside is requested to use the authority set out in Contract Procedure Rule (CPR) 1.3 to waive Contracts Procedure Rule No 9.1 and 9.2 – High Value Procurement – to enter into a contract for the procurement of Tractor Mounted Cylinder Mowers direct from the manufacturer, Lloyds & Co. at a total cost of £162,995.00 as set out within the DCR report.