

Minutes

of a meeting of the

Cabinet

held at 10.05am on Friday 21 October 2011

at the Council Chamber, The Abbey House, Abingdon



Open to the Public, including the Press

Present:

Members: Councillors Matthew Barber (Chairman), Yvonne Constance, Reg Waite and Elaine Ware

South Oxfordshire District Council Cabinet members: Councillors Dorothy Brown, David Dodds, Ann Ducker, and Judith Nimmo-Smith

Non-participating members: Councillor Jim Halliday

Officers: Steve Bishop, David Buckle, Steve Culliford, Clare Kingston, Ian Matten and Margaret Reed

Number of members of the public: Nil

Ca.18 Apologies for absence

Councillor Roger Cox had sent his apologies for absence.

Ca.19 Declarations of interest

None

Ca.20 Urgent business and chairman's announcements

None

Ca.21 Statements, petitions, and questions relating to matters affecting the Cabinet

Councillor Jim Halliday, chairman of the Scrutiny Committee, addressed the Cabinet on the proposed joint grounds maintenance contract with South Oxfordshire District Council. He reported that he had been absent in the weeks leading up to this meeting and in accordance with the council's constitution, the Scrutiny Committee's vice-chairman had agreed to waive call-in rights on this item. However, Councillor Halliday raised a few concerns. He was grateful to Mr Matten, the Parks and Waste Manager, for detailed answers to his questions but wished to alert the Cabinet to the following:

- The price evaluation of the tenders received included 50 points for services to schools. The education service was not a district council matter and should not be part of the consideration. However, he noted that the differential between the first and second ranked contractor was more than 50 points
- The quality marking appeared to be subjective.
- The prices were fixed for one year only, rendering the medium term financial forecasts invalid
- What penalty clauses would be included in the contract? Penalty clauses should be robust and watertight
- In future, reports to Cabinet recommending the council entered into a contract should be more detailed

In summary, he accepted the officer's recommendation but was concerned about the quality assessment, the medium term financial calculations, and urged tight penalty clauses. He might seek to scrutinise the council's tendering process further.

The Cabinet chairman thanked Councillor Halliday for his statement and helpful contribution.

Ca.22 Adjournment of meeting

RESOLVED:

To adjourn this meeting in order that a joint informal meeting comprising Cabinet members of South Oxfordshire's and Vale's Cabinet can be held. The purpose of this joint informal meeting is to allow Cabinet members of both councils to question officers on the proposed joint grounds maintenance contract before each Cabinet met separately to consider the report recommendations.

After the joint informal meeting, the Cabinet reconvened.

Ca.23 Grounds maintenance contract

Cabinet considered report 33/11 of the head of corporate strategy, and noted the exempt information contained in the report's appendix. The report recommended approval of a joint grounds maintenance contract with South Oxfordshire District Council.

Cabinet noted that in accordance with the council's Overview and Scrutiny Procedure Rules, the Scrutiny Committee's vice-chairman (in the absence of the chairman) had agreed that this was an urgent matter and therefore was not subject to call-in. The reason for urgency was that the existing contract would end at both councils in December 2011 and European legislation governed the procurement timetable. This included a standstill period, during which the councils could not enter into the contract until this period had expired.

The report recommended that Cabinet approved the appointment of five suppliers to a grounds maintenance framework agreement, from which one was appointed to deliver the councils' joint grounds maintenance service. The report set out the procurement process, the tenders received, the options open to the councils, the financial and legal implications, and the risks involved. No other options were considered because the evaluation of the tenders identified the five highest scoring companies and supplier eight offered the most economically advantageous proposal for the council.

Taking into consideration the debate in the joint informal meeting between Cabinet members of both councils, it was

RESOLVED: to

- (a) appoint suppliers one, three, five, six and eight to a framework agreement for the provision of grounds maintenance services;
- (b) appoint supplier eight to a joint contract for South Oxfordshire and Vale of White Horse district councils for the supply of grounds maintenance services for a five year period with the option to extend for a further three years;
- (c) authorise the head of service for corporate strategy, in consultation with the head of legal and democratic services, to finalise terms and conditions and enter into contracts on each council's behalf;
- (d) delegate authority to the head of corporate strategy, in consultation with the relevant cabinet member, to extend the joint contract for a period of three years, subject to satisfactory performance.

Exempt information under section 100A(4) of the Local Government Act 1972

None

The meeting rose at 10.25 am

Notes of an informal joint meeting between Cabinet members of South Oxfordshire District Council and Vale of White Horse District Council



Listening Learning Leading

**Friday 21 October 2011 after the formal
meetings of the two councils at 10am**



**Held at Vale of White Horse District
Council's offices**

Councillor Matthew Barber was elected as chairman of this informal joint meeting. The purpose of this meeting was to allow Cabinet members from the two councils to question officers on the proposal to establish a framework agreement for grounds maintenance services and appoint a contractor to supply grounds maintenance services to the two councils.

South Oxfordshire's Cabinet member responsible for this service recommended that the Cabinet adopted the recommendations to establish a framework agreement to provide grounds maintenance services and appoint supplier eight to a joint contract for the two councils for a five-year period, with an option to extend the contract for a further three years. Although, South Oxfordshire was the smaller partner in the joint contract as it had less open space, he believed that the framework had the ability to drive down costs for both councils and was a sound proposal. He had no reason not to recommend the contractor ranked first.

The Vale of White Horse Cabinet member responsible for this service agreed with South Oxfordshire's Cabinet member. He had researched this matter and recommended the Cabinet adopted the recommendations. He agreed that the framework had the ability to drive down costs for both councils. The preferred contractor had maximised its resources and would be in the best position to deliver this contract.

In answer to questions from Cabinet members, the head of corporate strategy reported that tender analysis had been carried out by two experienced officers and the procurement hub officer at Oxford City Council. The officers had consulted the parks officer and had taken legal advice. The Cabinet at South Oxfordshire and the then Executive at the Vale had approved the contract specification and tender evaluation process in March 2011. Cabinet members noted that the two councils would use the same contractor to provide grounds maintenance services. The preferred contractor had scored best in the tender evaluation and had experience in providing grounds maintenance services. However, by establishing a framework agreement, other councils could use this to source grounds maintenance services without the need to go through a full tendering process. These councils would then directly negotiate with the supplier on specification, quality, and price.

The chairman closed the joint informal meeting to allow each council's Cabinet to consider the recommendations.