

	<p style="text-align: center;"><b>Executive</b> 11 March 2013</p> <p style="text-align: center;"><b>Report from the Director of Environment and Neighbourhood Services</b></p>
For Action	Wards Affected: ALL
<p><b>Approval to Award Contract for Parking Services – Collaborative Cross Borough Procurement of Parking Services</b></p>	

Appendix 1 is not for publication in accordance with the Local Government Act 1972, Schedule 12(A) (3).

The Council has received representations from the Partner Authority to the proposed joint contract that requires the identity of the recommended bidder for award of contract to be classified as exempt by virtue of Schedule 12A, paragraph 4 of the Local Government Act 1972. However the partner authorities including Brent Council intend to issue a joint press announcement naming the successful bidder on or after the 21<sup>st</sup> March 2013.

## **1.0 Summary**

- 1.1 This report seeks the approval of the Executive to award a joint contract for the provision of parking services as required by Standing Order 88(c). This report summarises the results of the procurement process undertaken by officers from the WLA participating boroughs for the provision of parking enforcement and notice processing services and following completion of the evaluation recommends a contractor for award of the proposed contract. The report also sets out the financial savings and other benefits associated with the contract.

## **2.0 Recommendations**

- 2.1 That the Executive approve the award of the joint contract for parking services to Bidder 3 for an initial contract period of five (5) years with the option to extend for a further period of five (5) years.
- 2.2 That the Executive note that the value of the Brent specific elements of the contract for the provision of parking services is estimated to be circa £19.3 million over the five year duration of the contract.
- 2.3 That the Executive note that the new parking contract offers a saving of £3.5m over 5 years, compared to the existing contract.
- 2.4 That the Executive delegate to the Director of Environment & Neighbourhood Services, in consultation with the Director of Legal and Procurement, authority to conclude and sign on the Council's behalf the Inter Authority Agreement discussed in

paragraph 3.2.3 and paragraphs 8.6 and 8.7

- 2.5 That the Executive note the risks identified in Section 5 and the proposed approach to mitigation

### **3.0 Detail**

#### **3.1 Overview**

- 3.1.1 An update on the Cross Borough Parking collaboration was reported at the Executive in September 2012. This report now provides the outcome of the collaborative procurement and the resulting recommendation for award of contract.

#### **3.2 Governance**

- 3.2.1 Members will be aware from the pre-tender report of 16 July 2012 that the Council acted as lead authority for the procurement process providing specialist procurement and legal advice. Hounslow council provided HR and Employment advice, with assistance from the WLA for the purpose of procuring the joint parking services. Specialist financial advice relating to the procurement process was provided by Alpha Parking Limited following a competitive procurement process.
- 3.2.2 The Council, Ealing and Hounslow boroughs have determined that the proposed parking services contract will be a joint contract, executed by all three authorities, as opposed to a framework agreement. This approach has been drafted to allow for each borough's administration to have sovereignty over its strategic decisions for its parking service, while achieving economies of scale.
- 3.2.3 Each partner borough, including Brent council will enter into an Inter Authority Agreement, which will set out the mechanism for monitoring the joint contract and the contractor's performance, in addition to ensuring continuous improvements in the effective delivery of the services. The Inter Authority Agreement will contain provision with respect to costs apportionment for each borough in relation to the services it receives from the recommended contractor.

#### **3.3 Procurement Process**

- 3.3.1 Parking services are defined as Part B services under the Public Contract Regulations 2006 (as amended) ("the Regulations") however the provision of ICT software, which accounts for only a small percentage of the total estimated cost, is Part A. The value of the part B element outweighs the value attributable to the Part A element, and the proposed joint contract was treated as a Part B service for the purpose of the Regulations, on the basis of aggregation.
- 3.3.2 As a Part B service, there was a two-stage approach; Pre Qualification followed by Invitation to Tender (ITT) for selected providers but with an additional Best And Final Offers (BAFO) stage. The BAFO stage asked the top scoring providers to review their initial proposals and re-engineer specific elements in order to drive through the most economical offer to the collaboration.
- 3.3.3 In order to meet the Council's Contract Standing Orders, the Treaty on the Functioning of the European Union (EU Treaty Principles) and achieve best value; the Council carried out a competitive tender process in an open, fair and transparent manner with full advertising of the requirements in the Official Journal of the European Union ("OJEU") and compliance when inviting and evaluating tenders to

ensure Value for Money for the Council in the delivery of the Parking Services Contract.

#### **4.0 The Tender Process and Council's Contract Standing Orders** Evaluation Process

##### **4.1 Stage One - Pre-Qualifying Stage**

4.1.1 On 16 August 2012 a voluntary contract notice was placed in the Official Journal of the European Union (OJEU) to seek expressions of interest. The notice specified the Council's requirement to procure providers of Parking Services for three Councils.

4.1.2 Seven organisations expressed an interest in tendering. A Pre-Qualification Questionnaire (PQQ) was issued to all the organisations that expressed an interest for return by 24 September 2012.

4.1.3. The PQQ's were evaluated on the ability to meet the following criteria:

- Financial standing and evaluation of last set of audited accounts;
- Health & Safety, Quality Assurance;
- Technical capacity including environmental and sustainability requirements; and
- Business Continuity to undertake the contract for the Council.

4.1.4. Six organisations submitted completed PQQ's. These were evaluated resulting in one organisation being eliminated from the process due to poor Health and Safety responses. Five organisations met the criteria set out in paragraph 4.3 above and were shortlisted and invited to tender.

##### **4.2 Stage Two - Invitation to Tender**

4.2.1 Invitation to Tender documents were sent to the five shortlisted organisations on 15<sup>th</sup> October with a return by date of 3<sup>rd</sup> December 2012 extended to the 7<sup>th</sup> December 2012 due to the clarification deadline being extended, in order to provide bidders with more time to review the Council's clarification responses and accordingly price their bids prior to submission.

4.2.2 One organisation chose to withdraw without submitting an ITT bid, citing lack of local resources as a new entrant to the UK market. The delegated representative of the Head of Corporate Procurement opened the four tenders received with a representative from Democratic Service Area on 7<sup>th</sup> December 2012, in accordance with Contract Standing Orders ("CSO").

4.2.3 The Tender documents that were issued to the bidders outlined the following evaluation process and criteria to identify the "most economically advantageous tender" in accordance with CSO requirements and EU Procurement Regulations

##### **High level Criteria:**

<b>Criteria</b>	<b>Percentage of Total Score</b>
Price, including systems and working methods as proposed in the method statement	65%
Quality of the proposals	35%

4.2.4 The Quality sub-criteria communicated to tenderers, which the Council used to determine that a Tender is the most economically advantageous, are listed in Table 1 below:

<b>Rating</b>	<b>Table 1 Evaluation Criteria for Method Statement</b>	<b>Contribution to Final Score</b>
<b>1.</b>	<b>Demonstrated ability to provide the services required for this Contract</b>	<b>20%</b>
	1.1 Mobilisation	6%
	1.2 Management Information System	4%
	1.3 Accounting System	4%
	1.4 Back Office	6%
<b>2.</b>	<b>Proposed systems and working methods</b>	<b>30%</b>
	2.1 Cashless Parking	3%
	2.2 Removal Operation	4%
	2.3 Pound Provision	4%
	2.4 Suspensions	3%
	2.5 Pay and Display Machine Maintenance and Repair	2%
	2.6 Pay and Display Cash Collection, Counting and Banking	2%
	2.7 Permit Administration	2%
	2.8 Statutory Documents	4%
	2.9 Scanning of Correspondence	1%
	2.10 Office Locations	2%
	2.11 Call Centre	2%
	2.12 Notice Processing	1%
<b>3.</b>	<b>Approach to customer care, client care and equalities</b>	<b>15%</b>
	3.1 Staff Training and Development	5%
	3.2 Contract Management Proposals	5%
	3.3 Asset, Staff & Data Reversion Plan	5%
<b>4.</b>	<b>Enforcement plan</b>	<b>25%</b>
<b>5.</b>	<b>Proposals for enhancement of services and cost reduction over the life of the contract</b>	<b>10%</b>
	Continuous Improvement Plan	7%
	5.2 Added Value & Additional Information	3%
	<b>Quality Total</b>	<b>100% of 35%</b>
	Pricing Schedules	65%
	<b>Price Total</b>	<b>65%</b>

4.2.5 The marking scheme for the Quality evaluation is shown in table 2 below:

<b>Table 2 Scoring Methodology for Method Statement</b>		
Excellent	Meets all criteria in a very full and comprehensive manner and exceeds some requirements	9-10 Points
Very Good	Generally satisfactory and meets the requirements of the criteria to the satisfaction of the Evaluation Panel	6-8 Points
Satisfactory/Good	Satisfactory but with aspects which cause the Evaluation Panel concern because either the response is incomplete, or differs from the professional / technical judgment of the Evaluation Panel on the requirements necessary to meet the criteria	3-5 Points
Unsatisfactory	Little or none of the response is satisfactory, or little or no information has been provided	0 - 2 Points

4.2.6. In terms of Price, the price evaluation was on the basis of the overall price over a 5 year period, based on 2013 rates current for the parking services.

Officers used a high - low methodology to calculate the score for each overall price which allocated a score in relation to the lowest price assessed. Each Tender was scored based on its relationship with the lowest priced Tender. (.i.e. the lower the cost per proposed parking services the higher the score, the higher the cost the lower the score).

4.2.7 Price was evaluated as follows: Lower costs received a better score. The scoring of the overall cost was given 65%. This was then weighted and aggregated to form the proportion of overall score of 100% to this bid.

4.2.8 Tenderers were made aware that their pricing of parking services must be realistic and supported by a credible approach to achieving the sustainable pricing over the delivery of the contract which they had to address in their proposals via the Method Statements.

4.2.9 A series of clarifications points with each bidder's response were identified from the evaluation panel.

4.2.10 These points were raised with the bidders; their responses received which enabled the evaluation panel to proceed with evaluating their bids. Where these have an effect on the scoring the overall evaluation has been adjusted to reflect these points of clarification

4.2.11 Tenderers were also made aware that the successful tenderer will be appointed from the highest aggregate score (i.e. quality + price) of the tender submission.

4.2.12 Tenderers were also advised that it was the Council's intention to take the two highest scoring bidders through to the BAFO stage of the procurement. We also advised that we reserved the right to take the third scoring bidder through to next stage of the competition if their bid was within 5% of the second bidder's price.

4.2.13 The following is an overall summary of the four bids received at ITT for providing the parking services. The comparisons are shown for each of four variations:

- ◆ With and without a performance bond
- ◆ With alternative IT options, numbered 1 and 2

Tender Evaluation for: 1 TOTAL (Performance Bond + IT Opt1) Parking Services

	Suppliers			
	Bidder 1	Bidder 2	Bidder 3	Bidder 4
QUALITY SCORE RATING AS 35%	28.96%	23.02%	25.23%	21.62%
PRICING SCORE RATING AS 65%	59.75%	64.60%	65.00%	48.69%
TOTAL SCORE RATING AS 100%	88.71%	87.62%	90.23%	70.31%

Tender Evaluation for: 2 TOTAL (No Performance Bond + IT Opt1) Parking Services

	Suppliers			
	Bidder 1	Bidder 2	Bidder 3	Bidder 4
QUALITY SCORE RATING AS 35%	28.96%	23.02%	25.23%	21.62%
PRICING SCORE RATING AS 65%	59.93%	64.28%	65.00%	49.53%
TOTAL SCORE RATING AS 100%	88.89%	87.30%	90.23%	71.15%

Tender Evaluation for: 3 TOTAL (Performance Bond + IT Opt2) Parking Services

Selection Criteria	Suppliers			
	Bidder 1	Bidder 2	Bidder 3	Bidder 4
QUALITY SCORE RATING AS 35%	28.96%	23.02%	25.23%	21.62%
PRICING SCORE RATING AS 65%	60.03%	63.91%	65.00%	48.17%
TOTAL SCORE RATING AS 100%	88.99%	86.93%	90.23%	69.79%

Tender Evaluation for: 4 TOTAL (No Performance Bond + IT Opt2) Parking Services

Selection Criteria	Suppliers			
	Bidder 1	Bidder 2	Bidder 3	Bidder 4
QUALITY SCORE RATING AS 35%	28.96%	23.02%	25.23%	21.62%
PRICING SCORE RATING AS 65%	60.21%	63.59%	65.00%	48.99%
TOTAL SCORE RATING AS 100%	89.17%	86.61%	90.23%	70.61%

4.2.11 One Organisation (Bidder 4) in terms of pricing was £11m adrift from the lowest price tenderer - the most competitive bidder. Their overall quality scores were satisfactory and were within the limits of acceptability. However the overwhelming price disparity between their bid and the other tenderers meant that they were automatically deselected from progressing to the next stage.

4.2.12 Following the evaluation, 3 suppliers were short-listed and invited to BAFO for the contract.

#### 4.3 Stage Three - Invitation to BAFO

4.3.1. Invitation to submit BAFO documents was sent to the three shortlisted organisations on 14<sup>th</sup> January 2013 with a return by date of 4<sup>th</sup> February 2013 extended to the 6<sup>th</sup> February 2013 in order to provide bidders with more time to review the Council's clarification responses which consisted of Ealing and Hounslow's Pensions Admissions Agreement including risk share provisions and review their bids accordingly prior to submission.

4.3.2 As part of the procurement process, bidders were advised that they would be required to attend a two day presentation and clarification session with the evaluation panel between the 16<sup>th</sup> and 25<sup>th</sup> of January 2013. Before the meetings all bidders were advised of 12 generic, but collective, areas of their bids that the evaluation panel wanted to explore further. All bidders were given the same information.

4.3.3 In order to assess BAFO returns, bidders were instructed that the same method statement that was included in the tender documentation will be submitted with track changes and a revised pricing schedule for completion was included in the BAFO documentation.

4.3.4 The BAFO documents that were issued to these bidders outlined the following evaluation process and criteria to identify the "most economically advantageous tender" in accordance with CSO requirements and EU Procurement Regulations. As per the ITT stage the instructions to bidders stated that contracts would be awarded on the basis of the most economically advantageous tender to the Council that would be evaluated using the criteria as follows:

4.3.5 The High Level Criteria of Quality 35% and Price 65%, the Quality sub-criteria and the quality marking scheme remained the same as in ITT see Table 1 and Table 2 above in section 4.6. The price evaluation criteria were subject to some refinement and addition.

4.3.6 The Pricing Evaluation again comprised 65% of the marks. These were allocated as shown:

Area		Marks Allocated
1.	Provision of robust and efficient Open Book Pricing Document and supporting information that meets stated requirements	5
2.	Lowest Price then allocated to costs in ascending order	55
3.	Specific and costed added value items	5

4.3.7 The marking scheme for the open book evaluation was as follows in Table 3:

<b>Table 3 Scoring Methodology for Pricing - Open Book</b>		
Excellent	As Very Good but to a significantly better degree. Meets all criteria in a very full and comprehensive manner and frequently exceeds open book requirements with little need for clarification	5 Points
Very Good	Provides the open book as specified and exceeds some of the requirements.	4 Points
Good	Fulfils the criteria and open book requirements to the satisfaction of the Evaluation Panel	3 Points
Limited	Acceptable but does not meet the complete open book requirements to the satisfaction of the Evaluation Panel. Considerable clarification required	2 Points
Deficient	Little or none of the response is satisfactory, doesn't meet the open book requirement.	1 Point

4.3.8 The Council reserved the right to reject any pricing submission that failed to meet the “open book” requirements in accordance with the open book definition clarified in detail in the new and additional pricing instructions as set out in the invitation to submit BAFO and instructions to bidders.

4.3.9 In terms of added value price evaluation, the added value evaluation was on the basis of the highest added value price of the parking services proposal to the Councils.

4.3.10 Officers used a high - low methodology to calculate the score for each added value price which allocated a score for each price in relation to the highest added value price assessed. Each added value price was scored based on its relationship with the highest added value price. (.i.e. the higher the added value the higher the score, the lower the added value the lower the score).

4.3.11 Added Value Price was evaluated as follows: higher added value received top score. The scoring of the highest added value was given 5%.

4.3.12 BAFOs were returned on the 6<sup>th</sup> February 2013 and the Evaluation Panel completed their evaluation by 14<sup>th</sup> February. An evaluation bid moderation session was held on the 14<sup>th</sup> February. A final bid evaluation including all moderation elements was completed on 15<sup>th</sup> February 2013.

4.3.13 Following the conclusion of evaluations, the evaluation panel identified a winning bidder and officers are recommending Bidder 3 be awarded the joint contract, based on their aggregate price and quality score, which represented the highest scoring BAFO submission.

4.3.14 The following two tables provide the overall summary on the high level criteria and the sub criteria summary of the three bids received at BAFO for providing the parking services:



High Level Criteria			
Award Criteria	Suppliers		
	Bidder 1	Bidder 2	Bidder 3
QUALITY SCORE RATING AS 35%	29.89%	20.81%	25.92%
PRICING SCORE RATING AS 65%	57.40%	55.84%	63.00%
TOTAL SCORE RATING (Quality + Price) AS 100%	87.29%	76.65%	88.92%

**Tender Evaluation for: 2 TOTAL (No Performance Bond + IT Opt1) Parking Services**

Sub Criteria			
Selection Criteria	Suppliers		
	Bidder 1	Bidder 2	Bidder 3
Total Score for Section 1 - Demonstrated ability to provide the services required for this Contract	17.54%	14.50%	15.66%
Total Score for Section 2 - Proposed systems and working methods	25.42%	19.85%	22.95%
Total Score for Section 3 - Approach to customer care, client care and equalities	13.25%	8.42%	11.75%
Total Score for Section 4 - Enforcement Plan	20.43%	11.25%	16.68%
Total Score for Section 5 - Proposals for enhancement of services and cost reduction over the life of the contract	8.78%	5.45%	7.03%
Score Total - All Quality Sections	85.41%	59.47%	74.07%
QUALITY SCORE RATING AS 100%	85.41%	59.47%	74.07%

QUALITY SCORE RATING AS 35%	29.89%	20.81%	25.92%
-----------------------------	--------	--------	--------

OPEN PRICING SCORE RATING AS 5 %	4.00%	2.00%	3.00%
ADDED VALUED PRICING SCORE RATING AS 5 %	1.73%	0.67%	5.00%
OVERALL PRICE TENDERED AS 55%	51.67%	53.17%	55.00%
PRICING SCORE RATING AS 65%	57.40%	55.84%	63.00%

TOTAL SCORE (quality+price) RATING AS 100%	87.29%	76.65%	88.92%
-----------------------------------------------	--------	--------	--------

## **5. Risks**

### **5.1 Risks to the timetable for contract award and mobilisation**

- 5.1.1 The partner boroughs, Ealing and Hounslow are seeking their own internal approvals from their respective Cabinets to award the joint contract. However should either of the partner boroughs fail to meet their internal approval timetable; this will affect Brent's ability to keep to the anticipated contract start date of 4<sup>th</sup> July, which includes a 3 month implementation period. The current Brent parking enforcement and IT notice processing contracts expire on 3 July 2013 following a 12 month extension to the original maximum term, agreed to cover the Olympic period. Brent has set out a clear timetable for the participating boroughs to adhere to which included a minimum 3 month implementation and mobilisation period which can be achieved if expected approval timetables are met. If the mobilisation period is reduced through late approval officers will work with the contractor to minimise the impact.
- 5.1.2 As Hounslow and Ealing have employees currently deployed in the provision of the services, TUPE will be applicable in respect of those employees. The transfer of Hounslow and Ealing's staff could impact on the scheduled contract implementation timetable. Hounslow currently operate both the on street enforcement and back office processes in house. Ealing operate their back office process in house with an external provider for the on street operations. Brent has no existing council staff that will be subject to TUPE. Staff from Brent's existing contractor, APCOA, will however also transfer under TUPE to Bidder 3.

### **5.2 Risks during the operation of the contract**

- 5.2.1 The Bidder 3 Enforcement Plan submitted as part of their BAFO reflects a significant development of the approach to on-street enforcement from that which has underpinned Brent's enforcement to date. The intention is to use a much more targeted and intelligent approach to the deployment of CEOs using ANPR vehicles and other means to both identify offences but more significantly to identify areas of non-compliance for concentrated enforcement action. This is very much the direction of travel we had anticipated during the life of the contract. Bidder 3 plan to deploy in this way from the start of the contract with significant reductions in the number of CEOs deployed on-street delivering significant savings.
- 5.2.2 It is of course important that the effectiveness of this new approach to deployment does not compromise the effectiveness of enforcement and that it sustains the appropriate level of enforcement to tackle the very real problems of non-compliance with parking regulations. To mitigate these risks Bidder 3 has offered an underpinning guarantee to the effectiveness of their solution details of which are in the confidential appendix.

## **6.0 Financial Implications**

- 6.1 The Council's Contract Standing Orders state that contracts for supplies and services exceeding £500k or works contracts exceeding £1million shall be referred to the Executive for approval to invite tenders and in respect of other matters identified in Standing Order 89.
- 6.2 The estimated value of this services contract was £45 million; this figure was based upon the current annual cost of £4.5 million in direct payments to the contractor over the initial 5 year term, and potential 5 year extension.

- 6.3 The estimated value of this services contract for Brent will be at least £19.3m over 5 years and £37.7 million over ten years; this figure is based upon the submitted year one cost of £4.4m, and the subsequent years costing £3.7m over a potential 10 year term. Annual savings arising from the contract after year one will amount to at least £850k.
- 6.4 Because the new contract starts in July 2013 in year one, the first three months for 2013/14 will incur higher costs from the existing contract. There are some one off costs arising from the new contract which will also lead to higher costs in year one than in later years of the contract. The impact of this will be that some apportionment adjustment pertaining to the general costs and premises between boroughs will be required during the implementation period.
- 6.5 It is anticipated that the cost of this contract will be funded from existing resources with budget adjustments being made to current levels of expenditure from the parking account in line with the below table:

<b>F Y</b>	<b>April - Jun</b>	<b>Jul - Mar</b>	<b>FY Exp.</b>	<b>Budget Adjustment</b>
2013/2014	£ 1,145,404.50	£ 3,325,692.56	<b>£ 4,471,097.06</b>	<b>-£ 110,520.94</b>
2014/2015	£ 1,108,564.19	£ 2,794,080.24	<b>£ 3,902,644.42</b>	<b>-£ 568,452.63</b>
2015/2016	£ 931,360.08	£ 2,794,080.24	<b>£ 3,725,440.32</b>	<b>-£ 177,204.11</b>
2016/2017	£ 931,360.08	£ 2,794,080.24	<b>£ 3,725,440.32</b>	

- 6.5 Substantial levels of investment will be made in new technology and infrastructure by the contractor over the implementation period of the new contract. The Council anticipate that this investment will enable future efficiencies as the contract matures.
- 6.6 Over the first two years of the contract term, indexed growth will be frozen in accordance with contract terms and conditions. From year three, inflationary growth will be linked to the National Joint Council for Local Government Services salary scales.
- 6.8 This contract, as Members will be aware, is responsible for collection of very substantial income to the council. The proposed contract deals in detail with the financial consequences of non-performance for the contractor. Details are commercially confidential and are set out in Appendix 1.

## **7.0 Staffing Implications**

- 7.1 This service is currently provided in Brent by an external contractor APCOA Parking Services (UK) Limited and there are no implications for Council staff arising from retendering the contract at this stage.
- 7.2 An alternative contractor has been recommended for award of contract, therefore the incumbent Contractor's staff currently deployed in the provision of the services will transfer pursuant to the Transfer of Undertakings (Protection of Employment) Regulations, 2006 from the current contractor to the successful contractor.
- 7.3 The levels of staffing required by the incoming contractor are substantially less than the existing establishment as a result of efficiencies driven through new working methods and technological advancement. The incoming contractor shall consult the incumbent contractor's workforce in the mobilisation phase of the contract in order to determine how the staffing reductions may be realised.

## **8.0 Legal Implications**

- 8.1 The parking services are a mixture of part A and B services under the EU public procurement legislation. The parking services were procured collaboratively with other WLA Authorities, with the Council acting as lead authority on their behalf and as such, it was the Council who had responsibility for following the correct procurement procedure. Members are referred to the substantive legal implications regarding this collaborative procurement as contained in the 16 July 2012 Executive report, for information.
- 8.2 The proposed Parking Services contract is a High Value services contract (exceeding £500,000 over the life of the contract) and as such, in accordance with the Council's Contract Standing Orders, the Executive is required to review and agree the award of contract in accordance with Contract Standing Order 88(c).
- 8.3 Officers have followed a fair and transparent tender process, which is clearly set out within the body of this report.
- 8.4 Although this parking services contract has been classified as a Part B Services Contract, Officers have determined that the award of the joint contract will be subject to a voluntary minimum 10 calendar day standstill period before the contract can be awarded. Members should note that the 10 day standstill period will commence the day after the last remaining partner borough has gained approval to award the contract from its Cabinet (see table set out in paragraph 10.0 below). Therefore subject to Executive approval by all three boroughs, all tenderers will be issued with written notification of the award decision. A minimum 10 calendar day standstill period will then be observed before the contract is formally awarded and executed – this period will begin the day after all Tenderers are sent notification of the award decision – and additional debrief information will be provided to unsuccessful tenderers in accordance with the EU Regulations. The standstill period provides unsuccessful tenderers with an opportunity to challenge the Council's award decision if such challenge is justifiable. However, if no such challenge or successful challenge is brought during the period, then as soon as possible after the standstill period ends, the successful contractor will be issued with a letter of acceptance notifying them of the award, implementation period and commencement date.
- 8.5 Following award of the contract, the Council will be required to publish a contract award notice in the Official Journal of the European Community within 48 days of award.
- 8.6 In procuring the parking services contract, Brent Council agreed that all partner boroughs shall enter into and execute an Inter Authority Agreement for the duration of the proposed joint services contract. The Inter Authority Agreement, as referred to within the body of the report at paragraph 3.3.1 shall contain relevant provision so as to enable the effective delivery of the services.
- 8.7 Brent and the participating WLA members will execute a single joint contract with the successful contractor. Consequently, the draft Inter Authority Agreement and the joint Services Contract contains provisions covering the circumstances should a partner borough decide to withdraw from the joint contract arrangement during the contract period.

## 9.0 Diversity Implications

- 9.1 The proposals in this report have been subject to screening and officers believe that there are no diversity implications.

## 10.0 Accommodation Implications

- 10.1 The lease on Brent's premises at Pyramid House used by the current enforcement contractor, including the car pound, has been extended for the remainder of the existing parking contract; it is anticipated that the existing service including removal of impounded vehicles to the new pound will be fully decommissioned before the end of July 2013. The successful enforcement contractor will provide the premises from which to operate, together with car pound facilities although it is anticipated that some of these facilities will be shared with the other Boroughs.

## 10.0 Timetable for Implementation

Action	Date
Executive decision to award (including Scrutiny calling in period with exemption for Ealing being concurrent with standstill period)	18 <sup>th</sup> March 2013 For Brent 19 <sup>th</sup> March 2013 For Hounslow 19 <sup>th</sup> March 2013 For Ealing
Standstill Period	20 <sup>th</sup> March 2013 – 2 <sup>nd</sup> April 2013
Contract Award	3 <sup>rd</sup> April 2013
Contract Commencement Date	4 <sup>th</sup> July 2013

## 11.0 Appendices

Appendix 1 – The tender process and evaluation comprising commercial-in-confidence information.

## 12.0 Background Papers

- Parking Contracts Extension executive report December 2011.
- Cross-Borough Procurement of Cultural Services Executive report January 2012.
- Authority to Tender - Collaborative Cross Borough Procurement of Parking Services July 2012.
- Update on the Cross Borough Parking collaboration Sept 2012

### Contact Officer(s)

Katerina Athanasiadou  
Senior Category Manager

Tel: 020 8937 4118

Email: [Katerina.athanasiadou@brent.gov.uk](mailto:Katerina.athanasiadou@brent.gov.uk)

Michael Read  
Assistant Director, Environment & Protection

Tel: 020 8937 5302

Email: [michael.read@brent.gov.uk](mailto:michael.read@brent.gov.uk)

**Sue Harper**

**Director of Environment and Neighbourhood Services**

## Appendix 1

### NOT FOR PUBLICATION

#### Reason for non-publication

This Appendix 1 of the report is not for publication as it contains the following categories of exempt information as specified in Schedule 12A to the Local Government Act.

***Information relating to the financial or business affairs of any particular person (including the authority holding that information).***

Reports containing exempt information can be withheld from the public and the public may be excluded from a meeting at which the report is to be considered but this is a matter of discretion. The categories of exempt information are set out in the Access to Information Rules in the Constitution. The relevant category of exempt information is:

### 3

The Council has received representations from the Partner Authority to the proposed joint contract that requires the identity of the recommended bidder for award of contract to be classified as exempt by virtue of Schedule 12A, paragraph 4 of the Local Government Act 1972. However the partner authorities including Brent Council intend to issue a joint press announcement naming the successful bidder on or after the 21<sup>st</sup> March 2013.