

Executive – 23 August 2006

Update to Report from Director of Housing and Community Care

Authority to tender contract for the provision of Brent's Integrated Community Equipment Service

- 1.1 This note provides an update to the above Report.
- 1.2 The Report seeks approval to pre - tender considerations and the criteria to be used to evaluate tenders as set out in paragraph 3.6 of the Report. It also seeks approval to officers inviting tenders and evaluating them in accordance with the approved evaluation criteria.
- 1.3 In the Report it is indicated that the tender process to be adopted is a:

“2 stage process in accordance with the Council's Standing Orders. As Social Services transactions are Part B Services for the purposes of the EU regulations, the regulations are of residual application only (forwarding of a contract notice etc) and do not dictate the procurement process to be followed”.
- 1.4 It has subsequently been determined that approximately 65% of the value of the proposed contract will relate to the supply of equipment with only approximately 35% relating to the service element of the contract. As the supply element of the contract is greater in value than the services element, the contract will in fact be classified as a supply contract rather than a services contract. As such, it is subject to the full application of the EU Public Contract Regulations 2006 and will need to be advertised in OJEU.
- 1.5 It is now proposed that the restricted procurement procedure under the Public Contracts Regulations 2006 will be used for the tender. This is akin to the two stage tender process under the Council's Standing Orders that it was originally proposed to use for the tender and will not significantly affect the planned procurement process. The main difference is that the process will now need to be tendered in OJEU.
- 1.6 Additionally, as this procurement process is subject to the full application of the EU Regulations, the Council must observe the requirements of the mandatory minimum 10 calendar day standstill period imposed by EU Regulations before the contract can be awarded.

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- 1.7 The pre-tender considerations set out at paragraph 3.8 (iv) and (v) of the Report should therefore read as follows to reflect the new process:

3.8 Pre-tender considerations

In accordance with Contract Standing Orders 88 and 89, pre-tender considerations have been set out below for the approval of the Executive.

Ref.	Requirement	Response	
(iv)	The tender procedure to be adopted.	EU Procedure (Restricted Procedure)	
(v)	The procurement timetable.	Indicative dates are:	
		Adverts placed	24 August 2006
		Expressions of interest returned	29 September 2006
		Shortlist drawn up in accordance with the Council's approved criteria	9 October 2006
		Invite to tender	13 October 2006
		Deadline for tender submissions	22 November 2006
		Panel evaluation and site visits.	23 November 2006
		Site visits Interviews/ Presentations & contract recommendation decision	27 November - 14 December 2006
		Report recommending Contract award circulated internally for comment	20 December 2006
		Executive approval for contract award and mandatory standstill period	January 2007
		Contract start date	1 April 2007