

## OFFICER DECISION RECORD 1 FORM

This form should be used to record Officer Decisions in Excess of £100k (but below the key decision threshold), or where required by Financial, Contract or other Procedure Rules or following formal delegation from Cabinet or a Cabinet Member or a Council Committee.

**Decision Reference No:** RE18 0140

**BOX 1**

**DIRECTORATE:** Regeneration and Environment

**DATE:** 22/10/18

**Contact Name:** Alan Haywood

**Tel. No.:** 01302 737915

**Subject Matter:** Mechanical and Electrical Planned Maintenance Contract for the Civic Office

**BOX 2****DECISION TAKEN**

To approve the decision to tender the Mechanical and Electrical Planned Preventative Maintenance Contract for the Civic Office and for the winning tenderer (in consultation with the council) to have authority to appoint the necessary facilities sub- contractors for the various service elements which it is contracted to manage.

The existing contract with FES Facilities Management will expire on 31 March 2019 and it is intended to have a new fully compliant contract in place for 1 April 2019.

**BOX 3****REASON FOR THE DECISION**

The new Civic Office building was opened in 2012 and following an initial 12 month contract with the original installation contractor Shepherds, the M& E maintenance was tendered for a 5 year period. The contract was awarded to FES facilities management but this contract expires on the 31 March 2019.

Therefore to remain compliant and ensure best value this contract needs to be re-tendered.

In accordance with Council Contract Procedure Rules the new tender will be required to utilise the services of the in-house contractor Public Buildings Maintenance (PBM) to provide any of the services which they are competent to carry out as long as value for money can be demonstrated.

The new tender also allows for the inclusion of any of the Council's existing corporate contracts so long as they are suitable and value for money can be demonstrated.

**BOX 4****ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

The use of the in house provider PBM was considered to provide the full M&E maintenance managed service but they do not have specialist skills required to comply fully with the contract specification.

Therefore the decision to tender the Mechanical and Electrical Maintenance as a complete package was made due to the specialist nature of all the equipment and system requirements.

However the tender does allow for the in house providers to carry out any of the services they capable and competent to provide as part of the contract.

**BOX 5****LEGAL IMPLICATIONS**

Section 1 of the Localism Act 2011 provides the Council with a general power of competence, allowing the Council to do anything that individuals generally may do.

Section 111 of the Local Government Act 1972 gives the Council the power to purchase goods and services.

It is understood that the successful tenderer will manage a set of facilities contracts for the Council and may undertake some of the service elements themselves. The council propose to include within the arrangement that where it is value for money, the successful tenderer will arrange for elements of the service to be delivered by in house council services.

The services must be procured in accordance with the Council's contract procedure rules and the Public Contracts Regulations 2015.

Legal Services should be consulted at the earliest opportunity to provide the contractual documentation.

**Name: Paula Coleman** \_\_\_\_\_ **Signature:** \_\_\_\_\_ **Date: 29.10.18** \_\_\_\_\_

Signature of Assistant Director of Legal and Democratic Services (or representative)

**BOX 6****FINANCIAL IMPLICATIONS:**

On completion of the tender process the financial position will need to be reviewed to ensure that there is sufficient budget available from 2019/2020.

**Name: Lynn Morrison** \_\_\_\_\_ **Signature:** \_\_\_\_\_ **Date: 24/10/18** \_\_\_\_\_

Signature of Chief Financial Officer and Assistant Director of Finance (or representative)

**BOX 7**

**OTHER RELEVANT IMPLICATIONS**

Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Assistant Director (or representative)

**ANY IMPLICATIONS SENT TO DEPARTMENTS SHOULD GENERALLY BE SUBMITTED AT LEAST 5 WORKING DAYS IN ADVANCE TO ENSURE THESE CAN BE GIVEN THE RELEVANT CONSIDERATION.**

**BOX 8**

**EQUALITY IMPLICATIONS:**

There are no direct implications to equality. However, if the building needs to be closed at short notice any alternative arrangements may have an impact on some service users. If the scheme is approved to proceed there should be no equality impact.

**BOX 9**

**RISK IMPLICATIONS:**

The Council would not be fulfilling its statutory obligations if the systems and equipment included in this contract were not maintained.

**BOX 10**

**CONSULTATION**

Corporate Procurement has been actively involved in the development of a detailed Procurement Plan for all technical services Mechanical and Electrical maintenance contracts which includes the Civic Office.

**BOX 11**

**INFORMATION NOT FOR PUBLICATION**

It is in the public's interest to be aware of this decision record under the Freedom of Information Act 2000, therefore this decision will be published in full, redacting only signatures

Name: A J Rowbotham\_\_ Signature \_\_ Date: 1<sup>st</sup> November 2018\_\_\_\_\_

Signature of FOI Lead Officer for service area where ODR originates

**BOX 12**

**BACKGROUND PAPERS**

Please confirm if any Background Papers are included with this ODR

There are no background papers

**BOX 13**

**AUTHORISATION**

**Name:** Dave Wilkinson

**Signature:**

**Date:** 01.11.18

Assistant Director of Trading and Property Services

**Does this decision require authorisation by the Chief Financial Officer or other Officer**

**NO**

**If yes please authorise below:**

**Name:** \_\_\_\_\_ **Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

Chief Executive/Director/Assistant Director of \_\_\_\_\_

**Consultation with Relevant Member(s)**

**Name:** \_\_\_\_\_ **Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Designation** \_\_\_\_\_

(e.g. Mayor, Cabinet Member or Committee Chair/Vice-Chair)

**Declaration of Interest YES/NO**

**If YES please give details below:**

**PLEASE NOTE THIS FORM WILL BE PUBLISHED ON THE COUNCIL'S WEBSITE IN FULL UNLESS IT CONTAINS EXEMPT OR CONFIDENTIAL INFORMATION.**

Once completed a PDF copy of this form and any relevant background papers should be forwarded to Governance Services at [Democratic.Services@doncaster.gov.uk](mailto:Democratic.Services@doncaster.gov.uk) who will arrange publication.

**It is the responsibility of the decision taker to clearly identify any information that is confidential or exempt and should be redacted before publication.**