

MUNICIPAL YEAR 2018/2019 REPORT NO.

**ACTION TO BE TAKEN UNDER
DELGATED AUTHORITY:**

OPERATIONAL DECISION OF:
Director of Property

Contact officer and telephone number:

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Agenda – Part: 1	KD No. 4606
Subject: Supply of Office Furniture – Tender Bid Acceptance	
Wards: ALL	

1. EXECUTIVE SUMMARY

- 1.1 The current service is provided by Triumph through the Yorkshire Procurement Organisation (YPO) framework following a mini-competition which was awarded in 2013. The contract expired in November 2017.
- 1.2 A mini-tender exercise has been undertaken using companies on the YPO framework.
- 1.3 Ten companies were asked to tender and six replied.
- 1.4 The winning bid was from Bidder 1.

2. RECOMMENDATIONS

- 2.1 It is recommended that authority is given to enter into an initial 2 year contract with Bidder 1, plus two x one year extension options, subject to satisfactory performance and any Total FM contract.

3. BACKGROUND

- 3.1 The current service is provided by Triumph through the YPO framework following a mini-competition which was awarded on 25/11/2013 and expired on 24/11/2017. Triumph have provided a very good level of service, including flexibility of working outside normal office hours and weekends, frequently at short notice.
- 3.1.1 Triumph has continued to provide the service since 24/11/2017.
- 3.2 A desktop exercise was undertaken to find alternatives and the YPO was again the best option. Ten well established companies on the framework were asked to submit a bid and six did so.
- 3.3 We were seeking to appoint an organisation that provides value for money, based on balanced weighting between quality and cost. The YPO Framework Agreement suggested award criteria used was 40% Quality and 60% Cost. All suppliers on the framework had agreed to the terms and conditions and no special additional terms and conditions were added.
- 3.4 Bidders submitted tenders against a basket of furniture products that are most frequently ordered.
- 3.5 A fair and transparent approach to all suppliers as part of the Procurement ensures that unsuccessful tenderers are given detailed feedback.
- 3.6 A robust list of KPI's will be used as part of the contract monitoring to ensure the successful supplier is attaining the required standard.

4. ALTERNATIVE OPTIONS CONSIDERED

The alternative option considered was:-

- 4.1 Not to provide a furniture contract. With the Council's programme of office/building closures, it is essential that we have a reliable and flexible contractor on board for office layout changes that will ensue.
- 4.2 An alternative course of action would have been for the Council to go out to tender rather than use a pre-established Framework Agreement, but this would very likely be a more lengthy and costly exercise, so that was discounted.

5. REASONS FOR RECOMMENDATIONS

Please see Part Two report

6. COMMENTS OF THE DIRECTOR OF FINANCE AND CORPORATE RESOURCES AND OTHER DEPARTMENTS

6.1 Financial Implications

Please see Part Two report

6.2 Legal Implications

6.2.1 The Council has the power under s.111 Local Government Act 1972 to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions.

6.2.2 Also the Council has the general power of competence pursuant to s.1 B(1) of the Localism Act 2011 which provides that a Local Authority has the power to do anything that individuals generally may do provided it is not prohibited by legislation. The entering into contracts is also within s1 of that Act.

6.2.3 The use of Framework Agreements is a process which is compliant with the Public Contracts Regulations 2015 (see Regulation 33), and a local authority may use a Framework Agreement provided that the authority has been identified in the original Framework procurement documents either specifically or as a member of a class eligible to access services under the Framework Agreement.

6.2.4 In addition, under the Contract Procurement Rules, Rule 8.1.1 Framework Agreements may be used to procure goods, services and work subject to agreement by the P & C Hub.

6.2.5 The Contract will need to be in the form of that provided in the framework Agreement and in calling off under the Framework it is important that the Council complies with the provisions of the Framework Agreement relating to call off contracts.

6.2.6 The Call Off Contract will need to be sealed on behalf of the Council as its value is likely to be over £250,000 (see CPR 17.3.1).

6.3 Property Implications

6.3.1 As per the FM comments within the two parts of this report.

6.4 Procurement Implications

6.4.1 The Procurement and Commissioning Hub (P & C Hub) supported Facilities Management in sourcing a compliant Framework Agreement and ensured that a mini-competition took place to achieve value for money while ensuring that high standards of service are maintained.

6.4.2 The P & C Hub assisted FM throughout the tendering process and ensured compliance with the Public Procurement Regulations (2015), the Council's Contract Procedure Rules and the terms of the Framework.

6.4.2 The P & C Hub ensured that all correspondence and documentation was made available to all Framework Suppliers through Pro Contract, the Councils electronic tendering system.

7. KEY RISKS

Should the chosen contractor not be able to provide the service required during the period of the contract, the Council can use another contractor that operates within the YPO framework. No other significant risks have been identified.

8. IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for All

None.

8.2 Growth and Sustainability

None.

8.3 Strong Communities

None.

9. EQUALITIES IMPACT IMPLICATIONS

A screening exercise was completed for this report, which concluded that it neither relevant nor proportionate to carry out an equality impact assessment for the approval of this report. However, it is noted that the contract should include a duty on the successful applicant to assist us with meeting our obligations under the Equalities Act 2010

10. PERFORMANCE MANAGEMENT IMPLICATIONS

Regular monitoring of the contract will ensure value for money is obtained and support effective delivery.

11. HEALTH AND SAFETY IMPLICATIONS

11.1 It is essential that the selected company has robust H&S procedures.

11.2 Monitor for Health & Safety adherence during the life of the contract.

12. HR IMPLICATIONS

None

13. PUBLIC HEALTH IMPLICATIONS

Furniture is a basic need required for the Authority to discharge its functions.

Background Papers

None

