

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	4291
Author:	Clare Pinnegar
Department:	Resident Services
Contact:	Clare Pinnegar (Job Title: Project Support Officer, Email: clare.pinnegar@nottinghamcity.gov.uk, Phone: 64774)
Subject:	Heavy Goods Vehicle LOLERs and repairs to on-board lift equipment
Total Value:	£235,000 (£47,000 pa for 5 years) (Type: Revenue)
Decision Being Taken:	<p>To spend £235,000 for LOLERs (Lifting Operations and Lifting Equipment Regulations) undertaken on Nottingham City Council Heavy goods vehicles.</p> <p>To go out to tender and award a contract to one supplier. The contract will be awarded for an initial 3 year period with the option to extend it by 2 further periods of one year each.</p> <p>To delegate the authority to the Director for Neighbourhood Services to award the outcome of the contract, and the Head of Parking Fleet and Transport Services to sign the contract with the chosen supplier.</p>

Reasons for the Decision(s) Fleet Services currently has 40 HGVs (Heavy Goods Vehicles) which incur an annual spend of £47,000 for certain repairs, LOLER testing and certifications.

The Lifting Operations and Lifting Equipment Regulations 1998 (LOLER) requires that all equipment used for lifting is fit for purpose, appropriate for the task, suitably marked and, in many cases, subject to statutory periodic 'thorough examination'.

The LOLER Approved Code of Practice and Guidance states that 'The person carrying out a thorough examination must have appropriate practical and theoretical knowledge and experience of the lifting equipment to be thoroughly examined as will enable them to detect defects or weaknesses and to assess their importance in relation to the safety and continued use of the lifting equipment'.

In addition to the LOLERs, there are some repairs which are outside of the area of expertise of Nottingham City Council's operatives, such as repairs to cranes, hydraulics, truck tipping bodies, mechanical arms and load carrying bodies, repairs which require someone with more specialist knowledge.

Other Options Considered: To undertake the testing ourselves - This was rejected on the basis of the following:

The LOLER Code of Practice also states 'Although the competent person may often be employed another organisation, this is not necessary, provided they are sufficiently independent and impartial to ensure that in-house examinations are made without fear or favour. However, this should not be the same person who undertakes routine maintenance of the equipment - as they would then be responsible for assessing their own maintenance work'.

As Council operatives do not work on these vehicles often enough to obtain sufficient 'appropriate practical and theoretical knowledge and experience' and, as it would be difficult to avoid working on a vehicle on which they may have undertaken some maintenance, they do not qualify to undertake LOLER certification and weight tests.

Background Papers: None

Published Works: None

Affected Wards: Citywide

Colleague / Councillor Interests: None

Consultations: Those not consulted are not directly affected by the decision.

Crime and Disorder Implications: There is no reason why, continuation of the same type of work, with or without the same supplier would have any crime and disorder implications.

Equality: EIA not required. Reasons: This is a request to approve the spend, to go out to tender and continue with the same work we currently undertake and will not involve any changes which would disproportionately affect any one or more sections of the workforce.

Social Value Considerations: Economic, social and environmental issues will be taken into account in the procurement process whilst maximising value for money beyond just the financial costs. It is intended that the contract will be awarded where possible to businesses within the region, benefitting both the economy and the environment due to reduced travel if a local firm is appointed.

Decision Type: Portfolio Holder

Subject to Call In: Yes

Call In Expiry date: 29/07/2021

Advice Sought: Legal, Finance, Procurement

Legal Advice: The procurement of the services the subject of this delegated decision needs to be in accordance with public procurement regulations and the Council's Contract Procedure Rules having regard to the estimated value of the scheme over the contract period (including the optional extension period). Advice provided by Sarah O'Bradaigh (senior solicitor) on 18/06/2021.

Finance Advice: This decision seeks tender for the contract associated with the LOLER's work on the Council's heavy goods vehicles. Finance supports this procurement method as this will provide greater value for money to NCC. The contract award will be for 3+1+1 period, prior to the end of the initial 3-year period and any subsequent period Fleet Services should review the contract to ensure that it still provides value to the Council.

The annual approval value of £0.047m is in line with past expenditure on LOLERs works. The expenditure on this is budgeted for with the Council's budget and this procurement raises no significant concerns.
Advice provided by Matthew Connell (Commercial Business Partner) on 18/06/2021.

Procurement Advice: Procurement will assist in the obtaining a compliant and competitive solution for the Council. Advice provided by Holly Fisher (Lead Procurement Officer (Products)) on 15/06/2021.

Signatures
Rosemary Healy (Portfolio Holder Highways, Transport, Cleansing)
SIGNED and Dated: 21/07/2021
Dave Halstead (Director of Neighbourhood Services)
SIGNED and Dated: 15/07/2021