

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	2157
Author:	Andrew Fletcher
Department:	Development
Contact:	Andrew Fletcher (Job Title: Team Leader Property Safety & Compliance, Email: andy.fletcher@nottinghamcity.gov.uk, Phone: 01158763039)
Subject:	Extension to specialist lift engineer contract
Total Value:	£19,000 (Type: Revenue)
Decision Being Taken:	<ol style="list-style-type: none">1) To extend the existing contract for specialist lift management services until 1 September 2016.2) In accordance with Financial Regulation 3.29 to dispense with the requirement to obtain at least 3 written quotes.
Reasons for the Decision(s)	The Council has an ongoing requirement for specialist lift management services including LOLER (Lifting Operations and Lifting Equipment Regulations 1998) inspections. The existing contract (which was awarded in 2014 following a proper tendering exercise) expires on 29 August 2015. A short extension to the existing contract is sought pending the completion of the restructuring of the Property Section because there is no in-house knowledge or expertise of the requisite lift management services and there is insufficient time to go out to tender before the existing contract ends.
Other Options Considered:	<ol style="list-style-type: none">1) Do Nothing - This is not an option as the existing contract for lift management services ends 29 Aug 2015 and the specialist knowledge to maintain aging Lift assets will be put at risk if the contract is not extended.2) Engage internal resource - This is not an option because there is not the internal resource with the requisite expertise.
Background Papers:	None.
Published Works:	None.

Affected Wards:	Citywide
Colleague / Councillor Interests:	None.
Dispensation from Financial Regulations:	Yes
Use of Consultants	<p>Number of Days:63</p> <p>Rate per Day:300</p> <p>Total value:19000</p> <p>Start date:31/08/2015</p> <p>End date:31/08/2016</p>
Reason for using a consultant:	<p>Specialist knowledge and expertise is required which is not available in house. The existing company were engaged in 2014 following a competitive tender exercise.</p> <p>Professional specialist competency is required to provide co ordinated maintenance management and statutory LOLER inspections.</p> <p>Engagement is viewed as temporary assistance.</p> <p>Funding can be met from 2015/2016 Planned maintenance budget.</p>
Other options considered:	<p>Do not engage - Lack of specialist knowledge in house increases the Council's risk in relation to the health and safety of council employees and visitors to the building when using the lifts</p> <p>Recruit in house resource into Property Safety & Compliance team. Long term option being appraised as part of restructure into new direcorate. Consider option will enable reduced engagement of consultant for future delivery but does not address short term requirements.</p>
Name of consultant:	Elevate Consulting Ltd
Reason for selection?	Elevate Consulting Ltd were awarded a contract in 2014 for lift consultancy services following a tender exercise. They are industry experts in this field. Their performance of the contract to date has been of a high standard. Extending the existing contract will allow continuity of Lift management services during change of Insurance contract for LOLER inspections and pending the review of Property Section.
Has the consultant previously completed work for the City Council?	Yes. Currently providing lift management consultancy services under a contract that was awarded in August 2014 and which is shortly due to end.
Specific activities to be undertaken by the consultant are:	Review and advise on all Health and Safety implications. Advise on actions required on insurance reports including legal requirements to specialist discipline. Advise NCC of any major shortfalls with regard to the timing of Statutory Reports by insurance inspectors (LOLER reports) . Advise on Safed (H&S inspections) requirements.
Period of engagement:	12 months with options for break clause
By what process was the consultant selected?	Tender through procurement 2014. Financial dispensation being sought to extend contract up to a maximum of 12 months.

Consultations:	Those not consulted are not directly affected by the decision.
Crime and Disorder Implications:	Their are no Crime and Disorder Implications.
Equality:	EIA not required. Reasons: This decision does not relate to new or changing policies, services or functions
Social Value Considerations:	Not Applicable - This decision is below the social value consideration threshold.
Decision Type:	Portfolio Holder
Subject to Call In:	Yes
Call In Expiry date:	09/09/2015
Advice Sought:	Legal, Finance, Procurement, Human Resources
Legal Advice:	<p>Dispensation from CPR 5.1.1 is needed to extend the existing contract with Elevate Consulting Ltd in accordance with Financial Regulation 3.29. If the necessary authority is given, the contract allows for a variation by written agreement of the parties; other than this the terms and conditions will remain the same.</p> <p>Advice provided by Sarah O'Bradaigh (senior solicitor) on 05/08/2015.</p>
Finance Advice:	<p>The proposal to extend the existing contract for 12 months to 1st September 2016 will require dispensation from Financial Regulation 3.29 (to dispense with the requirement to obtain at least 3 written quotes). The total cost of £19,000 will fall into financial years 2015-16 (£11,000) and 2016-17 (£8,000). The cossts will be funded from the £4.344m Planned Maintenance budget.</p> <p>Advice provided by Georgina Lewis (Finance Analyst) on 06/08/2015.</p>
Procurement Advice:	<p>A dispensation to Finance Regulation 3.29 in accordance with Contract Procedure Rule (CPR) 5.1.1 is required in order to extend the current arrangements with Elevate Consulting Ltd for a further 12 months (Sept 2016). Following this period, any further requirements will need to be procured in-line with CPRs and supported by Procurement.</p> <p>Advice provided by Sue Oliver (Category Manager - Procurement) on 06/08/2015.</p>

HR Advice:

<p>No staffing implications. Specialist nature of role requires consultant, no concerns with short extension to contract</p> <p>Advice provided by Hannah Gemmill (HR Business Partner) on 05/08/2015.</p>
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Signatures:

Jon Collins (Leader of the Council)
SIGNED and Dated: 02/09/2015
Graham Chapman (PH for Resources and Neighbourhood Regeneration)
SIGNED and Dated: 25/08/2015
David Bishop (Deputy CE, CD for Development and Growth)
SIGNED and Dated: 14/08/2015
Theresa Channell (Head of Corporate and Strategic Finance) - Dispensation from Financial Regulations
SIGNED and Dated: 18/08/2015
Chief Financial Officer's Comments: