

# **CONTRACT SCRUTINY PANEL AGENDA**



**Monday, 14 July 2008**

**at 10.00 am**

**in Committee Room A**

MEMBERS: CONTRACT SCRUTINY PANEL:

Councillors Aiken, Atkinson, Laffey, Wallace and Wistow

1. **APOLOGIES FOR ABSENCE**
2. **TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**
3. **MINUTES**
  - 3.1 To confirm the minutes of the meeting held on 30 June 2008
4. **ITEMS FOR INFORMATION**
  - 4.1 Contract Deadlines –*Head of Procurement, Property and Public Protection*
5. **ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT**
6. **LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006**

## **EXEMPT ITEMS**

Under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in the paragraphs referred to below of Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006

**7. ITEMS FOR INFORMATION**

- 7.1 Contract for the future provision of Independent Foster Placements (CRF 179)  
- *Director of Children's Services*

**8. ANY OTHER CONFIDENTIAL ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT**

## **CONTRACT SCRUTINY PANEL**

### **MINUTES AND DECISION RECORD**

30 June 2008

The meeting commenced at 10.00 a.m. in the Civic Centre, Hartlepool

**PRESENT:** Councillor Laffey (In the Chair);  
Councillors Aiken and Atkinson

**OFFICERS:** Israr Hussain, Economic Development Officer  
Stuart Langston, Health, Safety and Well-Being Manager  
Karen Burke, Senior Procurement and Finance Officer  
Sarah Bird, Democratic Services Officer

#### **14. Apologies For Absence**

Councillors Wallace and Wistow.

#### **15. Declarations of Interest**

There were no declarations of interest.

#### **16. Minutes**

The minutes of the meeting held on 16 June 2008 were approved as an accurate record.

#### **17. Results of Tender for Longhill and Sandgate Business Improvement District – Monitoring of CCTV** - *Economic Development Officer*

The Economic Development Officer reminded members that the contract was part of the overall Longhill and Sandgate Business Improvement District project which had been reported to and agreed by Cabinet. The Closed Circuit Television (CCTV) system was being installed with funding provided from Hartlepool Borough Council, Hartlepool New Deal for Communities and Tesco through planning gain as part of their store extension. The businesses on the estates agreed, via a postal ballot, to fund the monitoring costs of the CCTV system through a 2% levy on the rateable value of their properties payable through their rates bill which came into force in April 2008.

Three tenders had been received and a panel was set up to score

these tenders. The contract was awarded to Housing Hartlepool who gained the highest score. The contract runs for five years with an annual review.

## **18 Local Government Access to Information**

Under Section 100 (A)(4) of the Local Government Act 1972, the press and public were excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of the Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information)(Variation) order 2006.

Minute 19 – Contract for Host Organisation to Host Hartlepool's Local Involvement Network (CPU 309) (para 3 information relating to the financial or business affairs of any particular person (including the Authority holding that information))

Minute 20 – Provision of Occupational Health Services (Ref 150) (para 3 information relating to the financial or business affairs of any particular person (including the Authority holding that information))

## **19 Contract for Host Organisation to Host Hartlepool's Local Involvement Network (CPU 309) – Senior Procurement Officer**

Members were advised that two tenders had been received in respect of the above contract and these were opened at the meeting.

## **20 Provision of Occupational Health Services (ref 150 – Health, Safety and Wellbeing Manager**

Four tenders had been received in respect of this contract and these were opened in the presence of Members.

The meeting concluded at 10.30 am

CHAIR

<p style="text-align: center;"><b>CONTRACT SCRUTINY PANEL</b></p> <p style="text-align: center;"><b>14<sup>th</sup> July 2008</b></p>
---



**Report of:** Head of Procurement, Property and Public Protection

**Subject:** CONTRACT DEADLINES

---

**1. PURPOSE OF REPORT**

- 1.1 To consider the current deadline of a 12 noon return of tenders.

**2. BACKGROUND**

- 2.1 At the panel meeting on 19<sup>th</sup> May 2008 Members suggested that as a number of tenders had been received after the 12 noon deadline a revised time of 1.30pm may be more appropriate.
- 2.2 The suggestion has been discussed with a variety of procuring officers across the Council and with Democratic Services staff.

**3. CONSIDERATIONS**

- 3.1 There is no reference in the Constitution at present which determines when tenders have to be returned - either day or date. Nor is there anything specified in procurement guidance which states when tenders have to be returned. This is left to Procuring Officers to decide what time and date is best suited to their particular circumstances and need.
- 3.2 It is general custom and practice both in the public and private sectors, in Europe and North and South America, for the tender return time and date to be set at 12 noon on a Friday.
- 12 noon (or mid-day) - because this is a definitive point in time which is not open to misinterpretation
    - Do we say 1:30pm or 13:30hrs?
    - Does everyone in Europe use those conventions (to comply with EU procurement law & principles)?
  - Friday - to give tenderers as long as possible to complete their tender submissions.

- 3.3 In addition Democratic Services prefer 12 noon on a Friday, as it allows them the whole of the afternoon to gather the tenders and prepare them for opening at the Contract Scrutiny Panel at 10:00am the following Monday.
- 3.4 It is of course the responsibility of the Tenderers to ensure that their tender submissions are submitted on time, not the responsibility of the Council / Client to ensure that the tenderers get their tenders in (this is standard procurement practice and stated in the Harmonised Tender Documents).
- 3.5 The Royal Mail also offers a guaranteed delivery time of 9:00am, which a competent tenderer could use and the Royal Mail is not the only delivery service.

#### **4. CONCLUSIONS**

- 4.1 The Panel's suggestion has been considered but, on balance, the conclusion is that deadline for return of tenders should not be altered.

#### **5. CONTACT OFFICER**

Graham Frankland, Head of Procurement, Property and Public Protection, Hartlepool Borough Council, Civic Centre, Level 3, Victoria Road, Hartlepool, TS24 8AY. Tel: 01429 523211, E Mail [graham.frankland@hartlepool.gov.uk](mailto:graham.frankland@hartlepool.gov.uk)