

# Public Document Pack

## Executive Member Decisions

Friday, 5th April, 2024  
10.00 am

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### AGENDA

1. **Award of Contracts for Special Educational Needs and/or Disability Transport**  
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2. **Procurement Strategy - Contract Hire of Compact Sweepers**  
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Date Published: 5<sup>th</sup> April 2024  
Denise Park, Chief Executive

# Agenda Item 1

## EXECUTIVE MEMBER DECISION



<b>REPORT OF:</b>	Executive Member for Children, Young People and Education
<b>LEAD OFFICERS:</b>	Strategic Director of Children & Education (DCS)
<b>DATE:</b>	Friday, 29 March 2024

<b>PORTFOLIO/S AFFECTED:</b>	Children, Young People and Education
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<b>WARD/S AFFECTED:</b>	(All Wards);
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<b>SUBJECT:</b> Award of contracts for special educational needs and/or disability transport
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### 1. EXECUTIVE SUMMARY

To seek approval from the Executive Member for Children, Young People and Education to award contracts for special educational needs and/or disability (SEND) transport to successful suppliers through the Council's framework.

### 2. RECOMMENDATIONS

That the Executive Member:

Approves the award of contracts to successful suppliers for a 2 year period commencing 15<sup>th</sup> April 2024.

### 3. BACKGROUND

The Council provides home-to-school/college travel support for children and young people with Special Education Needs and/or Disabilities, in accordance with its statutory obligations and published eligibility policies.

The Executive Member for Children, Young People and Education previously approved the formation of a new framework for the provision of SEND services and for the tendering of existing transport routes through an electronic auction process.

In line with this decision the Council established a DPS (Dynamic Purchasing System) in January 2024. A DPS framework unlike a traditional one allows suppliers to join the framework at any stage whilst the framework is live, this ensured that as many suppliers as possible could qualify to participate in the framework in order to ensure competition. This resulted in 41 different suppliers and sole traders being successful in joining the framework and being able to participate in the auction process.

A total of 146 routes were tendered which were divided into 18 separate auction processes split into routes for saloons, hackney carriages, wheelchair accessible minibuses and standard minibuses. This resulted in the following total number of contracts being proposed to be awarded;

Company	Total Contracts Awarded
Blackburn & Darwen Community Transport Ltd	30
Brownhill Corporate Hire / Brownhill Foundation	30
City Private Hire	24
Indigo Cars Ltd	8
Longridge Coaches	2
Matrix Private Hire	14
Mill Hill Private Hire	9
Sole Traders / Owner operators	15
UK Private Hire	12
Total	144

Two contracts that were tendered have not been awarded as yet with one awaiting acceptance and the other due to it's location and infrequency of trips; the latter will be subject to a separate bid process with operators.

Eight routes were exempted from the auction process and will be awarded to the current operators at the existing cost. This is due to either the routes only running until July or due to the specialist requirements of the children on these routes.

#### 4. KEY ISSUES & RISKS

If contracts are not awarded then the Authority would be at increased risk of being in breach of its statutory responsibility to provide transport for children and young people.

There is a risk that due to the low prices that have been bid on some of the routes that it will not be economical for operators to provide the services and they will not sign resulting contracts or may terminate the contracts at a later date.

#### 5. POLICY IMPLICATIONS

A continuation of service is required in order to meet the required statutory obligation of providing and Special Educational Needs and Disability Transport.

Education and Inspections Act 2006.

508B and 508C Education Act 1996.

The delivery of a high quality SEND Transport service has a positive impact on the outcomes of children and young people.

#### 6. FINANCIAL IMPLICATIONS

The current total value of contracts that were awarded under the auction process stood at £2.915 million, with the new prices for these routes now totalling £2.244 million which equates to a cost reduction of £671k.

The auction process saw a 'bidding war' amongst operators especially around the provision of minibus routes with these prices falling considerably compared to current costs. As mentioned in the key risks and issues section this may not be economical for operators and therefore could see costs escalate again if they need to be re-awarded.

The demand on the department for the provision of SEND transport continues to grow with additional transport being required constantly. As a comparison when these were last tendered through the auction process in 2022 there were 109 routes compared with the current 144 routes which represents an increase of 32% as well as the Council now providing a lot more larger vehicles due to the demand.

An additional £500k has been allocated via the MTFP to the SEN Transport budget for 24/25 in order to address the ongoing budget pressures. The savings generated through this procurement exercise

may mean that all of this additional funding is not required, however this is a demand led service and the demand is forecast to continue to increase. It is prudent, therefore, for the budget to remain unchanged pending a review as part of the Council's normal budget monitoring processes.

As a demand led service, contracts are subject to variances based on a number of external factors including but not exhaustive of:

- Increased demand
- Changes to existing contracts due to moving house, moving schools, changes to levels of transport support required.

Any such changes will require contractual changes and will likely result in a price increase. One supplier has decided that they will counteract the lower prices by putting in a high cost per mile for contract changes, the department will monitor this closely and when costs increase on the routes that they have won we will serve notice on these contracts and tender them again. Provision will be made in future tenders to ensure that this does not occur again.

## 7. LEGAL IMPLICATIONS

The procurement process used under the DPS framework complies with the requirements of the Council's Contract and Procurement rules and the Public Contracts Regulations 2015.

## 8. RESOURCE IMPLICATIONS

There are no resource implications associated with this decision.

## 9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1  Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2  In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. *(insert EIA link here)*

Option 3  In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. *(insert EIA attachment)*

## 10. CONSULTATIONS

None with this report

## 11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

## 12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded and published if applicable.

**VERSION:** 1

**CONTACT OFFICER:** Peter Hughes

**DATE:** 21/03/2024

**BACKGROUND PAPER:** Executive Member Decision – 22<sup>nd</sup> December 2023 – Framework for Specialist Educational Needs and/or disability transport.

## EXECUTIVE MEMBER DECISION



<b>REPORT OF:</b>	Executive Member for Environment & Operations
<b>LEAD OFFICERS:</b>	Strategic Director of Environment & Operations
<b>DATE:</b>	Thursday 21 <sup>st</sup> March 2024

**PORTFOLIO/S AFFECTED:** Environment & Operations

**WARD/S AFFECTED:** (All Wards);

**SUBJECT: Procurement Strategy – Contract Hire of Compact Sweepers**

### 1. EXECUTIVE SUMMARY

The Council currently spends approximately £420,000 per year with Dawson Group Sweepers Limited for the contract hire of five compact sweepers. The current contract is due to expire on 04/04/2024 and a new long-term agreement is required to allow the Council to continue to provide its statutory services. It is intended that the procurement will be done via further competition through the YPO - Purchase, Lease and Hire of Specialist Vehicles Framework.

### 2. RECOMMENDATIONS

That the Executive Member:  
Approves the procurement strategy for the contract hire of five compact sweepers.

### 3. BACKGROUND

The previous procurement was done via further competition on a YPO Framework for the Hire of Specialist Vehicles. This approach worked well for the Council and resulted in the appointment of a component contractor that demonstrates value for money to the Council therefore, a similar approach is being taken this time around.

The Council requires compact sweepers to fulfil the service requirements for ensuring the roads, town centres and footpaths are kept free of debris and waste. The vehicles can mount footpaths, enter town centres and pedestrian zones as well as sweeping streets and small roads. They are also able to enter subways and clean graffiti with the on-board jet cleaning capabilities.

Tenders will be evaluated against the following criteria:

- Price - 50%
- Quality - 35%
- Social Value - 15%

The highest scoring tender as per the above evaluation criteria, will be awarded the contract.

The Contract term will be 3-years with no extension option.

#### 4. KEY ISSUES & RISKS

The following risks and issues have been identified and considered:

- Purchase of the compact sweepers rather than contract hire.
- It is industry standard to contract hire compact sweepers for 3-years due to the lifecycle of the vehicle. Conducting a 1-year contract hire is possible however, suppliers would charge a premium price due to the short-term nature of the contract which would result in much higher costs for the Council for the single year.
- It was decided that a more economically viable option would be to conduct another 3-year contract hire this time around to prevent the higher costs from a 1-year contract hire. An in-depth total cost of ownership analysis can then be conducted in preparation for the expiry of the 3-year contract hire in 2027 to assess whether the purchase of the compact sweepers is financially, a better option for the Council.

The new contract is not being awarded before 04/04/2024 – It is the aim to have the new contract live by 01/06/2024. This will require a short-term extension on the current agreement.

#### 5. POLICY IMPLICATIONS

None.

#### 6. FINANCIAL IMPLICATIONS

The costs of the contract will be met from within existing budgets

#### 7. LEGAL IMPLICATIONS

No implications, the procurement process will be carried out in accordance with the Council's Contract and Procurement Procedure rules and the Public Procurement Regulations.

#### 8. RESOURCE IMPLICATIONS

Officers from the Contracts and Procurement team and the Environment team are required to develop the tender documentation, evaluate the tender responses and manage the contract once live.

#### 9. EQUALITY AND HEALTH IMPLICATIONS

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None.

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<b>VERSION:</b>	<b>1</b>
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<b>CONTACT OFFICER:</b>	<b>Joanne Byrne/James Gunning</b>
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<b>DATE:</b>	21 <sup>st</sup> March 2024
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<b>BACKGROUND PAPER:</b>	
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