

## **Report to Portfolio Holder for Environment**

**Subject:** Provision of an interim contract with Frontline for waste and transport agency staff whilst OJEU tender is completed

**Date:** 12 April 2019

**Author:** Deputy Chief Executive and Director of Finance

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### **Purpose**

In accordance with Contract Standing Order 30.2 iii), to report to the relevant portfolio holder that the Director has certified that a contract for works, supplies or services is required so urgently as to not permit the invitation of tenders.

### **Background**

- 1.1 Following a joint procurement process with several authorities in Nottinghamshire in 2014, the Council entered into a contract with Frontline Recruitment for the provision of temporary agency staff (waste/recycling collection loaders and AWR workers). That contract is due to expire on 26<sup>th</sup> April 2019.
- 1.2 The Service Manager for Waste and Transport Management has obtained procurement from the Council's procurement service and has been informed that the procurement of a new contract will involve a full OJEU tender which will take approximately 6 months to complete. It is proposed that the Council invite tenders for two suppliers to be appointed under a framework agreement for the provision of different types of agency staff which will be separated into lots.
- 1.3 The Service Manager for Waste and Transport Management was working with legal and procurement colleagues, along with the Service Manager for Parks and Street Care, to draft and finalise the documentation that will need to be published during the tender exercise (specification, framework agreement, call-off contract, evaluation, etc.). Due to unforeseen absence, this will now be picked up by a colleague within the team.
- 1.4 It is therefore not envisaged that the tender process will be completed until December 2019. There will then be a lead in period before implementation of the new contract. It is anticipated that the new contract will commence on 1<sup>st</sup> April 2020. The Council therefore needs

to procure an interim contract to cover the period between expiry of the Council's existing contract and appointment of a new provider following the procurement process. It is proposed that the Council enters into a contract with its current supplier, Frontline Recruitment, for the period 27<sup>th</sup> April 2019 to 31<sup>st</sup> March 2019. This contract is valued between £50,000 and the EU threshold.

- 1.5 Contract Standing Order 4.03 states, in relation to contracts estimated to be between £50,000 to EU thresholds, that tenders shall be invited in accordance with Standing Orders 8 to 11 or a Framework Agreement used in accordance with Standing Order 12. Contract Standing Order 30.02 iii) states:-

*Nothing in these Standing Orders shall require tenders to be invited if:*

*The contract for works, supplies or services certified by the Director concerned as being required so urgently as not to permit the invitation of tenders such certificate to be reported to the appropriate Cabinet member.*

- 1.6 There is not sufficient time to run a tender process to appointment a supplier for the proposed interim contract nor have any suitable frameworks been identified. The relevant service manager has sought procurement advice in a timely manner and a full European tender process is being undertaken to procure long term suppliers.
- 1.7 For these reasons the Director certifies in accordance with Standing Order 30.2 iii) that this contract for services is required so urgently as not to permit the invitation of tenders.

## **Proposal**

- 2 The Director proposes to enter into a contract with Frontline Recruitment for the provision of waste and transport agency staff for the period between 27<sup>th</sup> April and 31<sup>st</sup> March 2020.

## **Appendices**

- 3 None

## **Recommendation**

To note the contents of the report.