

RECORD OF EXECUTIVE DECISION

Tuesday, 20 August 2013

Decision No: (CAB 13/14 10900)

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	Cabinet member for Economic Development and Leisure
SUBJECT:	*Energy Company Obligation - Delivery Partner Procurement
AUTHOR:	Colin Rowland

THE DECISION

- (i) To delegate authority to the Director of People after consultation with the Cabinet Member for Housing and Sustainability to let the ECO contract in early November 2013;
- (ii) To delegate authority to the Head of Legal, HR and Democratic Services to enter into a contract for a period of 2 years plus an optional further 5 years, subject to the availability of further ECO funding and satisfactory performance, with the company selected for the ECO partnership contract;
- (iii) To delegate authority to the Head of Legal, HR and Democratic Services, following consultation with the Director of People and the Cabinet Member for Housing and Sustainability to finalise and enter into all necessary or ancillary contractual arrangements and documentation with the preferred bidder, subject to the parameters, set out within the report and specifically in Appendix 1; and
- (iv) To delegate authority to the Head of Legal, HR and Democratic Services to take any further action necessary to give effect to the decisions of the Cabinet in relation to this matter.

REASONS FOR THE DECISION

1 Delegated officer approval was obtained in April 2013 to advertise the ECO contract through the OJEU procurement process. A Negotiated OJEU tender is being used for this purpose which will lead to the appointment of a preferred contractor, or Delivery Partner, in late October of this year.

2 The OJEU tender process is very prescriptive and Council officers are currently negotiating with a shortlist of bidders to determine the most suitable Delivery Partner for the scheme.

3 Cabinet approval is required to let a contract of this size. However, delegated authority is sought to appoint a preferred Delivery Partner as soon as possible after the end of the procurement process, being satisfied that whichever organisation is selected will deliver the strategic outcomes specified for the project.

4 Final Tenders will be received from the three remaining bidders in September. A contractor will be appointed as Preferred Bidder in the beginning of November 2013. This matter requires a decision that would be impracticable to defer until the following Cabinet meeting in

November. Letting the contract as early as possible will maximise the current phase of ECO funding (to the end of March 2105).

DETAILS OF ANY ALTERNATIVE OPTIONS

Not to enter into a partnership arrangement with a utility or national construction company was rejected as this is a significant funding opportunity for the Council and its other local authority partners. This delivery model was chosen as a way of ensuring the effective management and coordination of such a large and complex delivery programme and to meet key strategic objectives.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None

CONFIRMED AS A TRUE RECORD

We certify that the decision this document records was made in accordance with the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 and is a true and accurate record of that decision.

Date: 20 August 2013

Decision Maker:
The Cabinet

Proper Officer:
Judy Cordell

SCRUTINY

Note: This decision will come in to force at the expiry of 5 working days from the date of publication subject to any review under the Council's Scrutiny "Call-In" provisions.

Call-In Period expires on

Date of Call-in (*if applicable*) (*this suspends implementation*)

Call-in Procedure completed <i>(if applicable)</i>
Call-in heard by <i>(if applicable)</i>
Results of Call-in <i>(if applicable)</i>