



Officer Decision Record – Key Decision

Key decisions taken by an officer are subject to the 5 day call in period from circulation to Members, and therefore the decision will be released for implementation following the call-in period and no call in being received

1. Cabinet date and copy resolution this key decision relates to

Cabinet Report – 1 December 2021

On 1 December 2021 Cabinet approved for the completion of an above threshold compliant tender to be completed and to award a new contract for the provision of Real Time Bus Information (RTI). The report delegated the award of the contract(s) to the Executive Director for Environment, Economy and Resources, in consultation with the Portfolio Holder for Environment and Transport.

<https://democracy.nelincs.gov.uk/wp-content/uploads/2021/05/5.-Procurement-of-Real-Time-Bus-Information.pdf>

Cabinet Decision Notice – 1 December 2021

The Cabinet Decision Notice dated 3 December 2021 approves the following;

Cabinet considered a report from the Portfolio Holder for Environment and Transport seeking approval to procure a new contract for the provision of RTI.

Resolved

1. That authority be delegated to the Executive Director for Environment, Economy and Resources, in consultation with the Portfolio Holder for Environment and Transport to:

a. Implement an above threshold compliant procurement exercise for Real Time Information.

b. Award a four-year contract (with the option to extend the contract for delivery of the service for a further 2 years subject to high performance levels) within the budget allocated to the Real Time Information project.

c. Carry out all ancillary actions arising from the above, including full implementation.

2. That the Assistant Director Law Governance and Assets be authorised to execute all documents in connection with the above.

Reasons for Decision - The Council is required to demonstrate value for money (VfM) in the delivery of the RTI contract under the Public Contracts Regulations 2015.

<https://democracy.nelincs.gov.uk/wp-content/uploads/2021/05/Decision-Notice-1st-December-2021.pdf>

2. Subject and details of the matter (to include reasons for the decision)

An above threshold compliant procurement exercise for RTI has been completed. The following information provides a summary of the tender evaluation:

Reason for the decision:

The Council is required to demonstrate value for money in the procurement of a RTI System under the Public Contracts Regulations 2015.

Process:

This procurement exercise was conducted under open procedure. Subject to the Public Contracts Regulations, Regulation 26(3)(a).

Length of contract:

A four-year contract (with the option to extend the contract for delivery of the service for a further 2 years subject to high performance levels).

Tender ref no:

65219.

Date of publication:

26 January 2023.

Responses received:

One tender response was submitted by R2P. It should be noted the Council's Legal Team approved a sole bidder report on 5 April 2023.

Assessment method/basis of award;

*Price = 60%

- *Quality = 40%
- *Supplier Questionnaire
- *Accessibility Questionnaire
- *Cloud Security Questionnaire
- *Provider Demonstration

Evaluation:

An Evaluation Team was formed to undertake the following:

- *Manage the evaluation process.
- *Assess Tenderers.
- *Evaluate Tenders; and
- *Determine which Tender is the Most Economically Advantageous.

The Evaluation Team comprised:

- *Senior Transport Officer – Equans
- *Enhanced Bus Quality Partnership Officer - Equans
- *ICT Business Partner (ICT Change and Information) - NELC
- *Procurement Category Manager (Moderator) – Equans
- * Procurement and Contracts Officer – Equans
- *Managed Procurement Assistant - Equans

Evaluation scores for R2P tender submission;

Quality Score; 330 out of 500.
Supplier Questionnaire: Pass.
Cost Criterion; Rank 1.
Quality and Cost Combined: 1.

Non-compliant bids:

0

Name and address of preferred tenderer:

R2P

Next steps:

To issue the award letter and execute all documents in relation to the execution of the contract.

3. Decision being taken

It is recommended the Council awards a four-year contract (with the option to extend the contract for delivery of the service for a further 2 years subject to high performance levels).

If the Council awards the contract, the Local Transport Plan (LTP) will need to an allocation from 2025/2026 for up to four years if alternative grant funding is not available. If the allocation for RTI is not included in the LTP Capital Programme, the Council will need to issue a contract termination notice to the provider in line with the contract terms and conditions.

It is recommended the Council awards the contract to R2P which is the Most Economically Advantageous tender submission.

4. Is it an Urgent Decision? If yes, specify the reasons for urgency. Urgent decisions will require sign off by the relevant scrutiny chair(s) as not subject to call in.

No.

5. Anticipated outcome(s)/benefits

Award a four-year contract to R2P (with the option to extend the contract for delivery of the service for a further 2 years subject to high performance levels) within the BSIP/ LTP budget allocated for RTI.

6. Details of any alternative options considered and rejected by the officer when making the decision (this should be similar to original cabinet decision)

Option 1 – Do nothing and decommission the existing RTI system. This option is not recommended as it may conflict with the Governments National Bus Strategy. The National Bus Strategy requires local authorities to provide bus priority measures such as Traffic Signal Priority and high-quality public transport information and the RTI system delivers both of these elements.

Option 2 - Award a tender for a four-year contract (with the option to extend the contract for delivery of the service for a further 2 years subject to high performance levels). This is the recommended option. Parts of the current RTI system are approaching the end of their life expectancy and it is recommended they are replaced with system enhancements which are either funded through the Local Transport Plan Capital Programme and Bus Service Improvement Plan (BSIP) funding.

7. Background documents considered (web links to be included and copies of documents provided for publishing)

RTI Cabinet Report, 1 December 2021;

<https://democracy.nelincs.gov.uk/wp-content/uploads/2021/05/5.-Procurement-of-Real-Time-Bus-Information.pdf>

8. Does the taking of the decision include consideration of Exempt information? If yes, specify the relevant paragraph of Schedule 12A and the reasons

No.

9. Details of any conflict of interest declared by any Cabinet Member who was consulted by the officer which relates to the decision (in respect of any declared conflict of interest, please provide a note of dispensation granted by the Council's Chief Executive)

N/A.

10. Monitoring Officer Comments (Monitoring Officer or nominee)

The decision is consistent with the will of Cabinet and the delegations. The procurement exercise has been conducted so as to comply with the Council's policy and legal obligations, specifically in compliance with the Council's Contract Procedure Rules and the Public Contracts Regulations 2015 and supported by relevant officers. Legal Services will support the completion of the contractual documentation on award.

11. Section 151 Officer Comments (Deputy S151 Officer or nominee)

The cost of the contract is to be met through existing BSIP or LTP capital funds approved as part of the Council's Capital Investment Programme.

12. Human Resource Comments (Head of People and Culture or nominee)

There are no direct HR implications arising from the contents of this report.

13. Risk Assessment (in accordance with the Report Writing Guide)

The Council's BSIP includes funding to deliver RTI. Failure to deliver a new RTI contract may leave the Council being unable to deliver this key measure and parts of the BSIP programme. In the event of the Council being unable to deliver this measure, the Council may have to return any funding associated with RTI from the BSIP and it may put future DfT external funding at risk.

The BSIP includes funding for RTI in 2023/2024 and 2024/2025. From 2025/2026 to 2026/2027 (and during the possible two-year extension periods) funding for RTI will need to be allocated within the Local Transport Plan Capital Programme (or other suitable funding streams) otherwise the Council will need to cancel the RTI contract

within the required contract notice periods. The Cabinet report on 1 December 2021 identified this within 5.1 of the Financial Considerations section.

14. Has the Cabinet Tracker been updated with details of this decision?

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15. Decision Maker(s):

Name: Carolina Borgstrom

Title: Director of Environment,
Economy and Infrastructure

Signed: REDACTED

Dated: 12/07/2023

**16. Consultation carried out with
Portfolio Holder(s):**

Name: Cllr Stewart Swinburn

Title: Portfolio Holder for Environment
and Transport

Signed: REDACTED

Dated: 12th July 2023

**17. If the decision is urgent then
consultation should be carried out
with the relevant Scrutiny
Chair/Mayor/Deputy Mayor**

Name:

Title:

Signed:

Dated:

Key Decisions are defined in the Constitution as:

A decision (whether taken collectively or individually by members) which is likely:

- (i) to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; or
- (ii) to be significant in terms of its effects on communities living or working in an area comprising two or more wards.

A decision will be considered financially significant if:

- (i) in the case of revenue expenditure, it results in the incurring of expenditure or making savings of £350,000 or greater;
- (ii) in the case of capital expenditure, the capital expenditure/savings are in excess of £350,000 or 20% of the total project cost, whichever is the greater

In determining whether a decision is significant in terms of its effect on an area comprising two or more wards, consideration shall be given to:

- (i) the number of residents/service users that will be affected in the wards concerned;
- (ii) the likely views of those affected (i.e. is the decision likely to result in substantial public interest)
- (iii) whether the decision may incur a significant social, economic or environmental risk.