



Belfast City Council

Report to:	Strategic Policy & Resources Committee
Subject:	Alleygates at Various Locations – Term Contract
Date:	8 May 2009
Reporting Officer:	Director of Legal Services, Ciaran Quigley – Ext 6038
Contact Officer:	Colin Campbell, Principal Solicitor Michael Stanley, Project Manager

Relevant Background Information

The Committee, at its meeting of 24 April 2009, considered a report from the Director of Improvement in relation to the recommendation to establish a term agreement (“call-off contract”) with the Red Sky Group for the maintenance and erection of alleygates.

Certain concerns were raised by a number of Members in relation to the proposal, and following advice having been given by the Director of Legal Services, the Committee agreed that consideration of the award of the contract be deferred in order that a further report be brought back in relation to the processes which were followed in relation to the tendering exercise.

Key Issues

The Director of Legal Services has since met with relevant officers in order to discuss the process which was undertaken in relation to this tender exercise.

It has become apparent that there was an oversight in the tendering process in that the report was taken to the Committee at a stage following the invitation and scoring of tenders, rather than (as would be the usual case) prior to this stage. The oversight was due to human error due to a combination of a workload peak and temporary staff at the time. However, the Director has reviewed the procedure undertaken in relation to the assessment of the tenders which were received and is satisfied that that process was undertaken in a fair, transparent and non-discriminatory manner, and therefore complies with best practice in terms of procurement procedures, and there is nothing in the scoring exercise which gives any rise for concern on that particular aspect. The Red Sky tender was evaluated as the most economically advantageous submission, on the basis of price and quality, and Red Sky have in fact a good performance record with the Council, that record including work having been undertaken in relation to previous schemes of the Council.

From a review of the exercise relating to the scoring of the tenders, there is nothing to suggest that there are any grounds for reviewing the recommendation to establish a term contract with Red Sky. It should, however, be noted that in the event that the successful tenderer should at some stage in the future perform unsatisfactorily, the term contract scheme allows for the Council to decide not to award any further work to that contractor.

Resource Implications

Recommendations

The Committee is recommended to note the foregoing report and to enter into the recommended term agreement with the Red Sky Group subject to the completion of the formal legal documentation.

Decision Tracking

The contract can be awarded immediately following the June Council meeting.

Key to Abbreviations

Documents Attached