

RECORD OF DECISION MADE UNDER DELEGATED AUTHORITY

PART 1 – PUBLIC DOCUMENT

SERVICE DIRECTORATE: Regulatory

1. DECISION TAKEN

- 1.1 To extend the current contract with BDI Securities UK Ltd for cash collection from the Council's parking Machines for a further two years.

2. DECISION TAKER

- 2.1 Ian Fullstone, Service Director – Regulatory

3. DATE DECISION TAKEN:

- 3.1 15 April 2021

4. REASON FOR DECISION

- 4.1 The Council receives income from its car park ticket machines and requires a secure, reliable and timely collection, reconciliation and banking service to deal with this income.
- 4.2 The Council appointed BDI Securities Ltd following a full open competitive tendering process in March 2019 to undertake this service. The contract was for two years and comes to an end in May 2021.
- 4.3 The Council wishes to extend the contract with BDI Securities UK Ltd for a further two years and given that the overall cost of this service will be over £50k, an official NHDC Decision Notice must be published on the Council's website. (See paragraph 9.2 below).

5. ALTERNATIVE OPTIONS CONSIDERED

- 5.1 The option of considering a new contract and a shorter extension were considered and have been discounted for the reasons set out in Section 8.

6. CONSULTATION (INCLUDING THE EFFECT ON STAKEHOLDERS, PARTNERS AND THE PUBLIC)

- 6.1 The Executive Member for Planning and Transport, Cllr Paul Clark and the Deputy Member for Planning and Transport, Cllr Ian Mantle have been consulted and are both supportive of the decision.
- 6.2 The Service Director – Resources has been consulted under Rule 29.2 of the Contract Procurement Rules and supports the extension of the contract (See paragraph 9.3 below).

7. FORWARD PLAN

- 7.1 This decision is not a key Executive decision and has therefore not been referred to in the Forward Plan.

8. BACKGROUND/ RELEVANT CONSIDERATIONS

- 8.1 The Council appointed BDI Securities UK Ltd following a full open competitive tendering process in March 2019 for the services of collecting and reconciliation of cash from its car park ticket machines and for the secure transport and banking of income collected. There are stringent Performance Monitoring and KPI's included in the contract which are regularly monitored by the Contract Manager. This ensures that the Supplier meets the contract specification requirements and that the contract delivers what is intended. To date BDI Securities UK Ltd have accorded with the specification requirements and met the KPI's as set out in the contract.
- 8.2 The Council has a good working relationship with BDI Securities, who have embraced the changes and challenges associated with the pandemic over the last year and have worked together with the Council in reviewing and reducing the frequency of cash collections through the various lockdown periods.
- 8.3 Clause A2.1 of the written contract permits the Council to extend the contract by a further two years. The Council would wish to continue with BDI given their high level of performance in meeting the requirements of the contract. They have also agreed to retain their previously quoted contract price with an increase in CPI, which will be a marginal increase and will ensure that their fee remains competitive. BDI Securities provided the most competitive price under the initial procurement process. The contract price over the following two years is expected to be circa £50 to £60k and is dependent on the amount and frequency of cash to be collected.
- 8.4 This extension will enable officers the time to explore other payment methods within the Council car parks in accordance with the Council's Agreed Parking Strategy. This will enable officers to prepare a business case on various options to be reported to the Exec Members with the view to reduce cash option payments. This in turn will offer a saving to the Council in reducing the service for cash collections in future. It is already noted that there has been a 50% increase in the PaybyPhone and contactless payment options currently offered within the Council Car parks and this trend is expected to continue.

9. LEGAL IMPLICATIONS

- 9.1 Under terms of reference 14.6.4(a)(ii) of the Constitution, the Service Directors are delegated the following functions, powers and duties for their respective service areas to: *entering into contracts to carry out works and/or for the supply of goods and services within approved budgets (subject also to approval of the Service director for: Customers in respect of software or hardware contracts).*
- 9.2 Under rule 7.13 of the Contract Procurement Rules, an official NHDC Decision Notice must be published on the Council's website for contracts above £50k.
- 9.3 Rule 29.2 of the Contract Procurement Rules states that *'a Service Director may, following consultation with the Service Director: Resources and the relevant Executive Member authorise an extension of a contract by up to twenty four months, up to a value of £200,000.'* The proposed extension is for 24 months with a value below £200,000 therefore authorisation has been received from the Service Director - Regulatory in consultation with the Service Director – Resources and the relevant Executive Member for Planning & Transport, Cllr Paul Clark.
- 9.4 The value of the extension is below the EU threshold therefore the modification requirements in Part 2 of The Public Contracts Regulations 2015 do not apply.
- 9.5 The original contract was awarded in compliance with the Contract Procurement Rules and clause A2.1 of the contract gives the Council an extension right. The

Contract requires at least one-month notice when exercising the extension right (**Notice of Extension**) but time is not of the essence. The current contract expires on 4th May 2021 and the Notice of Extension should have been delivered by 4th April 2021. However, because time is not of the essence, Council may still exercise its extension right under the Contract.

9.6 Legal has assisted officers in the preparation of the Notice of Extension.

10. FINANCIAL IMPLICATIONS

10.1. The cash collection contract will be funded from the parking income budget. The overall contract value for the two years will be circa £50 to £60k dependent on the number and frequency of cash collections. It is anticipated that the number of collections will reduce over the two years as visitors to our town centres continue to use the current PaybyPhone and card contactless payment options within our car parks. There are no other financial implications.

11. RISK IMPLICATIONS

11.1 Implementation of the Parking Service in terms of achieving its estimated income is already identified as a risk on the Council's Risk Register.

10.2 Risks associated with the Contractor's performance and delivery of the service in terms of meeting the requirements of the Contract Specification will continue to be monitored by the Contract Manager according to the Key Performance Indicators set out in Terms and Conditions of Contract.

12. EQUALITIES IMPLICATIONS

12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

12.2 There are no equalities implications arising as a result of this report.

13. SOCIAL VALUE IMPLICATIONS

13.1 The Social Value Act and "go local" policy do not apply to this decision.

14. ENVIRONMENTAL IMPLICATIONS

14.1. There are no known Environmental impacts or requirements that apply to this report.

15. HUMAN RESOURCE IMPLICATIONS

15.1 The Contract will be administered and monitored by the Parking Enforcement Manager as part of his responsibilities. There will be no additional human resource implications.

16. BACKGROUND PAPERS

16.1 Current Contract between NHDC and BDI Securities UK Ltd: Contract for Cash Collection from Parking Machines – dated 24 June 2019.

17. APPENDICES

17.1 None

NOTIFICATION DATE: 16 April 2021

Signature of Executive Member Consulted

A handwritten signature in black ink, appearing to read "Paul Clark". The signature is written in a cursive style with a large initial 'P'.

Date 15 April 2021

Signature of Decision Taker 

Please Note: that *unless urgency provisions apply* EXECUTIVE decisions cannot be implemented until 5 clear working days have elapsed after the decision has been taken to allow for scrutiny call-in.

Call-in does not apply to NON-EXECUTIVE DECISIONS