

Record of officer decision

Decision title:	Delay the mainstream and college transport retendering programme (Area 4) to allow time to understand longer term implications of Covid-19																								
Date of decision:	15 May 2020																								
Decision maker:	Director for Economy & Place																								
Authority for delegated decision:	In line with section 3.7.9 all necessary decisions in the case of emergencies of the constitution.																								
Ward:	Countywide																								
Consultation:	<p>Chief Finance Officer, Solicitor to the Council and cabinet member for infrastructure and transport has been consulted on the school transport retendering programme.</p> <p>Operators which run the current services and all other operators included in the council's dynamic purchasing system have been contacted to inform them of the proposal to retender all contracts and the programme by which this would take place. Operators were asked to provide feedback. Feedback from the consultation has been taken into account.</p> <p>Affected schools and colleges and members have been consulted on the aims and outcomes of the program as it has progressed and this has included specific notification in respect of the next scheduled retendering location – Area 4 – covering Ross on Wye.</p>																								
Decision made:	<p>The decision has been taken to:</p> <p>Delay the programme for retendering mainstream school and college transport contracts by one school term (from September 2020 to January 2021). Notify schools and operators affected by this delay.</p> <p>Review this decision by October 2020 to determine whether a further delay is required in which case a further decision will be taken.</p> <p>Extend the 7 school contracts listed below in accordance with the provisions of Public Contract Regulations 2015 Section 72 (1 c) which will be required to continue to operate from September 2020 for a further term noting that a further extension may be required if the retendering programme is further delayed in relation to COVID-19 or any other unforeseen circumstances.</p> <p>Contracts which need to be extended</p> <table><tr><th>Contract No.</th><th>Operator</th><th>Total Contract Value</th><th>Value of Extension Period Requested</th></tr><tr><td>JKH191</td><td>N Maddy Coaches</td><td>£18,880</td><td>£9,280</td></tr><tr><td>JKH192</td><td>CM Davies</td><td>£15,275</td><td>£7,508</td></tr><tr><td>JKH193</td><td>N Maddy Coaches</td><td>£19,558</td><td>£9,613</td></tr><tr><td>JKH195</td><td>N Maddy Coaches</td><td>£23,010</td><td>£11,310</td></tr><tr><td>314</td><td>N Maddy Coaches</td><td>£28,520</td><td>£13,800</td></tr></table>	Contract No.	Operator	Total Contract Value	Value of Extension Period Requested	JKH191	N Maddy Coaches	£18,880	£9,280	JKH192	CM Davies	£15,275	£7,508	JKH193	N Maddy Coaches	£19,558	£9,613	JKH195	N Maddy Coaches	£23,010	£11,310	314	N Maddy Coaches	£28,520	£13,800
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	316	N Maddy Coaches	£7,629	£3,691
	Continue 16 existing contracts which are not set to expire at the end of the current school year.			
Reasons for decision:	To provide the council with further time to assess the longer term impacts of the COVID 19 emergency including ongoing statutory and discretionary school transport service needs, aspirations of the administration, and the council's financial situation			
Highlight any associated risks/finance/legal/equality considerations:	<p>Delaying the retendering programme is likely to delay financial savings which would result from a more efficient service specification (which is the main purpose for the programme) and reduce any in year saving. It is estimated that the savings that could be achieved per school term are £15-20k.</p> <p>Whilst 7 of the affected contracts were due to terminate at the end of the summer term 2020 legal advice has confirmed that this contract can be legally extended for the period of 12 months in accordance with the provisions of the Public Contracts Regulations section 72 (1c).</p> <p>It is possible that additional school transport services will be required in relation to any new patterns of demand resulting from a school year intake. This is likely to be very limited but cannot be discounted.</p> <p>However, should the program continue on the original schedule there would be a risk that the outcome of the review and subsequent procurement would not deliver the services that are required post Covid-19. This could include services not having enough capacity to transport students in accordance with social distancing guidance.</p>			
Details of any alternative options considered and rejected:	<p>Not progressing the retendering program is rejected as it will not provide sufficient assistance in the council's aims to reduce costs and contribute to budget pressures. In addition, it will not address the issue of ensuring all contracts are managed in accordance with up to date terms and conditions.</p> <p>Progressing the retendering program on the original schedule is rejected and it will not ensure the most efficient and cost effective outcome and will not allow for the full effects of the Covid-19 outbreak to be considered</p>			
Details of any declarations of interest made:	None			

Signed

Richard Ball
Director for Economy & Place

Date: 15 May 2020