

Record of operational decision

Decision title:	Decision to extend a direct award short term contract for security services delivered by Caple Security and managed through the building maintenance and cleaning agreement with Hoople Ltd.
Date of decision:	19 November 2021
Decision maker:	Interim Director for Economy & Place
Authority for delegated decision:	The chief executive's scheme of delegation
Ward:	Countywide
Consultation:	<p>Consultation was undertaken with Financial Services, Commercial Services and Legal Services as part of approval for exception to contract procedure rules.</p> <p>Finance have confirmed that they see no financial issues.</p> <p>Legal and commercial services have both advised that council cannot exempt itself from the thresholds imposed by the Public Contract Regulations 2015. Legal services have advised that consideration needs to be given as to whether the risk of not extending the contract outweighs the risk of a procurement challenge on the basis that there is an ongoing breach of the procurement requirements set out in the Public Contract Regulations 2015.</p>
Decision made:	That a further direct award is made to Caple Security, at a value of £66,245 for the extended period, amounting to a total contract value of £201,245, with an expiry date of 28 February 2022. This would allow the continuation of security provision to council property assets.
Reasons for decision:	This decision will allow the continuation of security services so as to ensure continuity of safeguarding to council properties and building assets whilst a plan is put in place to complete the procurement process, TUPE undertakings and award of contract.
Highlight any associated risks/finance/legal/equality considerations:	<p>If the decision is not taken this will affect and impact on services delivered to the Herefordshire Community as it will mean the council's properties and building assets will not be unlocked and locked and there would be no provision for mobile security patrols or onsite security should it be required to safeguard property and building users.</p> <p>There would be a risk that council insurance agreement would be invalidated.</p> <p>Although there was no financial issue it was noted that the extension would push the contract value over the UK Threshold (£189k) and might lead to a risk of a legal procurement challenge.</p>
Details of any alternative options considered and rejected:	<p>Not taking this decision has been rejected. Not having contract arrangements in place to cover off security provision would leave the council at risk of not having buildings secured which could result in safeguarding issues to those that visit and or work from some council buildings and possible theft of council property.</p> <p>Also taking this decision outweighs the risk of a procurement challenge of</p>

	extending the current contractual arrangement.
Details of any declarations of interest made:	None of any officers or members involved or consulted in the decision making have declared an interest.

I am an officer delegated to make the decision

Signed:

Print Name: Neil Taylor

Job Title: Interim Director for Economy and Place