

REQUEST FOR DIRECTOR DECISION – DD1180

Title: Ambient Noise Strategy – GLA call off framework contract

Executive Summary:

The GLA has, since 2010, procured consultancy services on a call-off framework basis to discharge the Greater London Authority's statutory role and commitments on ambient noise. This Director Decision requests authority to seek new competitive bids on a call-off framework basis during the 2014/15 financial year, forward for two years, with an option to extend this for up to a further six months.

Decision:

That the Executive Director approves the allocation of funding, as set out in the Part 2 confidential section, to enter into a framework contract during the 2014/15 financial year, for up to two years, with an option to extend this for up to a further six months, for specialist noise and related consultancy services.

AUTHORISING DIRECTOR

I have reviewed the request and am satisfied it is correct and consistent with the Mayor's plans and priorities.
It has my approval.

Name: Fiona Fletcher-Smith

Position: Executive Director

Signature:

Date: 23 June 2014

PART I - NON-CONFIDENTIAL FACTS AND ADVICE

Decision required – supporting report

1. Introduction and background

- 1.1 Following a reorganisation of the Greater London Authority's staffing, in-house provision of a technically qualified noise unit and its associated strategy delivery budget, was replaced by a one-year pilot framework contract focussed on statutory programmes for noise strategy delivery. This was authorised under DD216 towards the end of the 2009-10 financial year. In the following year, arrangements were agreed under DD314, to engage consultants under a call-off framework contract for up to a further four years.
- 1.2 In April 2013, the GLA's noise consultancy framework contract was re-let to two suppliers for a year, with an option to extend this for up to a further year until March 2015. Before expiry of this extension period, a new framework contract should be procured, should it be decided that a similar outsourced arrangement be continued. This report seeks approval for such an arrangement, requesting authority to seek new competitive bids for the provision of noise consultancy services for a further two years with an option to extend this for up to a further six months on a call-off framework basis, such arrangements to be put in place during the 2014-5 financial year. As with recent contract arrangements, this may be awarded to two suppliers.
- 1.3 The call-off framework contract, for which approval is sought, would not itself commit any expenditure but would provide arrangements through which any consultancy services could be procured as and when required. The GLA's funding decisions would continue to be made on an annual budget cycle, as in the past.
- 1.4 The maximum value of the call-on call-off framework contract over the two to two and a half year period will be below the OJEU limit. Based on experience of the previous call-off framework, the proposed value would be sufficient to overcome the need to periodically seek contract variations when unexpected or exceptional items of expenditure arise.

2. Objectives and expected outcomes

- 2.1 The scope of the proposed framework contract would be broadly similar to the framework contracts for specialist noise consultancy support put in place in previous years (DD314 outlined the scope as: policy development, planning advice, environmental support, strategic support to boroughs, support across the GLA group, and expert advice to the Mayor in support of noise initiatives).
- 2.2 Services will mainly focus on the research, preparation and drafting of reports and other written or presentation material; together with attendance at meetings. This may also include editing and commenting upon internal draft papers, and the review of consultation or other material received by the GLA. Turn-around times for the completion of outputs will be specified for each task, and the consultants will be provided with regular feedback to help ensure the quality and style required.

3. Equality comments

- 3.1 The approval recommended in this decision form will enable a new contract to be awarded for noise consultancy in accordance with the Authority's Contracts and Funding Code; this process will be managed by TfL Procurement.

3.2 The Authority, and TfL are subject to public sector equality duties, and any contract that would be awarded, will be consistent with these duties, and with the Mayor's strategies and plans, including those identified at para 4.2 below with associated equality impact assessments. Overall, no adverse impacts are identified; and it is expected that positive contributions to equality will arise through improved mitigation of development, transport, or other impacts that may be addressed through work undertaken by noise consultants for the Authority.

4. Other considerations

4.1 *Key risks and issues.* The call off arrangement is designed to overcome the risks associated with the allocation of funds to a consultancy on a guaranteed forward basis. The contract would be managed in line with the Authority's standard practices to minimise any reputational or non-delivery risk. Procurement will be undertaken in consultation with TfL's procurement team.

4.2 *Links to Mayoral strategies and priorities.* The proposed framework contract would assist in the discharge of the Authority's role, as required for the Mayor's Ambient Noise Strategy (forming part of the Environment Strategy), and noise-related aspects of the London Plan, Transport Strategy, and other Mayoral strategies.

4.3 *Impact assessments and consultations.* The proposed call-off framework contract will reflect responsible procurement criteria and procedures, and the Mayor's strategies. A separate impact assessment and consultation are not considered necessary as these have already taken place for the Mayor's strategies.

5. Financial comments

5.1 Approval is sought for the award of a framework contract for specialist noise and related consultancy. Consultants will be engaged under a call-off framework contract and funded from within the existing Development, Enterprise and Environment budget allocation (specifically from the Transport Programme Budget and Planning Pre-Application Reserves)..

5.2 The project will be monitored by, and all requisite budget adjustments and contract compliance will be carried out by, the Transport Team of the Environment, Enterprise and Environment Directorate; in liaison, as required, with the Planning Team.

6. Legal comments

6.1 Sections 1 – 4 of this report indicate that the decisions requested of the Director in accordance with the GLA's Contracts and Funding Code fall within the GLA's statutory powers to do such things considered to further or which are facilitative of, conducive or incidental to the promotion of economic development and wealth creation, social development or the promotion of the improvement of the environment in Greater London; and in formulating the proposals in respect of which a decision is sought officers have complied with the Authority's related statutory duties to:

- pay due regard to the principle that there should be equality of opportunity for all people;
- consider how the proposals will promote the improvement of health of persons, health inequalities between persons and to contribute towards the achievement of sustainable development in the United Kingdom; and
- consult with appropriate bodies.

- 6.2 The services required will be procured in consultation with the TfL Procurement who will determine the detail of the procurement strategy to be adopted in accordance with the Authority's Contracts and Funding Code. Officers must liaise with TfL Procurement in this regard and to ensure all necessary contract documentation is put in place and executed before commencement of services.

7. Planned delivery approach and next steps

Activity	Timeline
Procurement of contract	2014/15
Delivery Start Date [for project proposals]	2014/15
Final evaluation/ project closure	2016/17; or 2017-18

Appendices and supporting papers: n/a

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FOI Act) and will be made available on the GLA website within one working day of approval.

If immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process), it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary.

Note: This form (Part 1) will either be published within one working day after approval or on the defer date.

Part 1 Deferral:**Is the publication of Part 1 of this approval to be deferred? NO**

If YES, for what reason:

Until what date: (a date is required if deferring)

Part 2 Confidentiality: Only the facts or advice considered to be exempt from disclosure under the FOI Act should be in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a part 2 form – YES

ORIGINATING OFFICER DECLARATION:

Drafting officer to confirm the following (✓)

Drafting officer:

David Solman has drafted this report in accordance with GLA procedures and confirms that:

✓

Assistant Director/Head of Service:

Tim Steer has reviewed the documentation and is satisfied for it to be referred to the Sponsoring Director for approval.

✓

Financial and Legal advice:

The Finance and Legal teams have commented on this proposal, and this decision reflects their comments.

✓

EXECUTIVE DIRECTOR, RESOURCES:

I confirm that financial and legal implications have been appropriately considered in the preparation of this report.

Signature

Date