

<b>Cabinet Meeting</b>	
<b>Meeting Date</b>	6 December 2017
<b>Report Title</b>	Award of Contract - Provision of Civil Parking Enforcement Services
<b>Cabinet Member</b>	Cllr A Horton, Cabinet Member for Safer Families and Communities
<b>SMT Lead</b>	Martyn Cassell, Head of Commissioning and Customer Contact
<b>Head of Service</b>	Martyn Cassell, Head of Commissioning and Customer Contact
<b>Lead Officer</b>	Jeff Kitson, Parking Services Manager
<b>Key Decision</b>	Yes
<b>Classification</b>	<b>Open</b>
<b>Forward Plan</b>	<b>Reference number:</b>
<b>Recommendations</b>	<ol style="list-style-type: none"> <li>1. To approve the award of the Civil Parking Enforcement Service contract to APCOA Parking (UK) Ltd.</li> <li>2. To delegate authority to the Head of Commissioning and Customer Contact, and Head of Legal, in consultation with the Cabinet Member for Safer Families and Communities, to complete the contract award.</li> </ol>

## **1 Purpose of Report and Executive Summary**

- 1.1 This report provides an explanation of the tender process undertaken to find suitably qualified contractors and requests authority to award the Civil Parking Enforcement Service contract to APCOA Parking (UK) Ltd.
- 1.2 Following the tendering process, consultation and evaluation by an assessment panel, this report requests authority to award the contract to the winning tenderer.

## **2 Background**

- 2.1 Swale Borough Councils Civil Parking Enforcement operations are managed in partnership with Maidstone Borough Council.
- 2.2 The Civil Parking Enforcement contract provides key services which are strictly applied under the Traffic Management Act 2004 to:

- Achieve good levels of driver compliance to parking regulations.
  - Provide the level of enforcement necessary to secure compliance.
  - Effectively resource the enforcement service and ensure all staff are appropriately trained and equipped.
  - Provide first line response and repair to the Councils Pay & Display units.
- 2.3 Maidstone Borough Council led on a joint procurement with Swale Borough Council to tender the on-street and off-street Civil Parking Enforcement services for both authorities.
- 2.4 The contract will be awarded to start on the 1<sup>st</sup> June 2018 to a suitably experienced and qualified organisation to provide Civil Parking Enforcement services.
- 2.5 The appointed company will operate on a service contract for seven years and there will be an option for extending the contract by three years, in 2025, subject to satisfactory performance.

#### Tender process

- 2.6 Due to the estimated value of this contract, it was subject to European Procurement Regulations. An OJEU Contract Opportunity Notice inviting tenders from interested companies to compete in an Open Tender Procedure was submitted on 23/08/2017. Tenders were to be received by 15:00 on 29/09/2017.
- 2.7 The tender document allowed the tendering companies to bid for a combined Civil Parking Enforcement service for Maidstone and Swale.
- 2.8 Twenty-nine companies expressed an interest in the opportunity and the Invitation to Tender Documentation was made available to them via the Kent Business Portal e-tendering website. Seven companies advised that they would not be submitting a bid.
- 2.9 Two tenders were returned before the deadline and were opened on the 29<sup>th</sup> September 2017.
- 2.10 There are a number of suppliers in the market who provide parking services. However many specialise in off-street operations as opposed to on-street Civil Parking Enforcement (CPE) provided under the Traffic Management Act 2004 Legislation.
- 2.11 There are only a few major providers who specialise in on-street operations under CPE legislation and therefore it is not too surprising that interest in the tender has resulted in final submissions from two companies who are considered to be among the market leaders.
- 2.12 This has not limited the selection of a suitable provider as the tender process has

identified a supplier with excellent quality coupled with value for money for both Swale and Maidstone.

### Evaluation process

2.13 Price and Quality were weighted at 60% and 40% respectively. The most economically advantageous tender (MEAT) criterion enables the contracting authority to take account of criteria that reflect qualitative, technical and sustainable aspects of the tender submission as well as price when reaching an award decision.

2.14 The Senior Procurement Officer at Maidstone oversaw the process and reviewed the financial submissions which are shown below.

Company name	Combined Tender Price	Swale Price
Company A (APCOA Parking (UK) Ltd)	£5,598,789.00	£2,476,481.00
Company B	£4,959,650.47	£2,054,581.28

2.15 The technical evaluation was undertaken by representatives from Parking Services. This qualitative assessment considered their appreciation of issues detailed in the specification related to resources, recent contracts, how they would meet the service requirements and social value.

2.16 The Procurement Manager chaired a scoring moderation meeting with the evaluation team on the 10<sup>th</sup> October to discuss the reasons behind the scoring and offer the opportunity to refine scores in light of explanations provided by the other two evaluators. Minor adjustments were made to individual scores but this had no effect on the overall result.

2.17 The moderated scores for the combined Maidstone and Swale service are shown below:

Company	Price Score	Quality Score	Total Score
Company A (APCOA Parking (UK))	53.15	37.47	90.62
Company B	60.00	19.07	79.07

2.18 The highest scoring company taking into account price and quality was therefore APCOA Parking (UK) Ltd. Based on the MEAT criterion, although the price was higher, they presented the ability to deliver against all of the requests in the specification particularly including equipment provision, supervision and resourcing at a higher level.

2.19 All submissions received were checked for arithmetical errors.

- 2.20 The insurance certificates are current and have the amounts of cover required by the Council.
- 2.21 A satisfactory credit rating check has been obtained on APCOA Parking (UK) Ltd.
- 2.22 Three acceptable trade referees have been provided for APCOA Parking (UK) Ltd.
- 2.23 It is recommend that the tender submitted by APCOA Parking (UK) Ltd for the combined Maidstone and Swale Civil Parking Enforcement Service in the sum of £5,598,789.00 be accepted. This represents an annual contract cost of £377,659 for Swale Borough Council which represents a saving of £19,954 per annum on the current service costs, whilst delivering an increased quality on the specification.

### **3 Proposals**

- 3.1 To approve the award of the Civil Parking Enforcement Service contract to APCOA Parking (UK) Ltd.
- 3.2 To delegate authority to the Head of Commissioning and Customer Contact, and Head of Legal, in consultation with the Cabinet Member for Safer Families and Communities, to complete the contract award.

### **4 Alternative Options**

- 4.1 To consider re-advertising the Swale element of the contract is not recommended as APCOA Parking (UK) Ltd is considered to be the most suitable contractor for the Civil Parking Enforcement service following the procurement and evaluation process.
- 4.2 To not continue with the Civil Parking Enforcement service is not recommended as it will leave the highway and off street car parks vulnerable to inconsiderate and unsafe parking contrary to the Traffic Regulation Orders.

### **5 Consultation Undertaken or Proposed**

- 5.1 Consultation has taken place with the Maidstone and Swale Commissioning and Procurement Teams throughout the tendering process to ensure that procurement procedures have been followed and inclusive with all stakeholders.

## 6 Implications

Issue	Implications
Corporate Plan	The Civil Parking Enforcement service is a key function in terms of managing inconsiderate and unsafe parking across the borough and so reflects the Councils priorities within the Corporate Plan.
Financial, Resource and Property	<p>Civil Parking Enforcement financial provisions are governed under the Road Traffic Regulations Act 1984, Section 55. Income from Civil Parking Enforcement activity must be used to provide the service with any surplus used only in accordance with the regulations.</p> <p>This contract will be therefore fully funded by this income. This represents an annual contract cost of £377,659 for Swale Borough Council which represents a saving of £19,954 per annum on the current service costs whilst delivering an increased quality on the specification.</p> <p>The contract will be managed by the Parking Services Manager on behalf of Swale and Maidstone Borough Council</p>
Legal and Statutory	<p>Due to the value of this contract, the tender was subject to European Procurement Regulations.</p> <p>The service operates under the Traffic Management Act 2004.</p>
Crime and Disorder	None identified at this stage.
Sustainability	None identified at this stage.
Health and Wellbeing	None identified at this stage.
Risk Management and Health and Safety	Risk management and health & safety were considered and scored as part of the formal tender and evaluation process.
Social Value	Social Value was considered and scored as part of the formal tender and evaluation process which included proposals in relation to local employment and support to the local economy.
Equality and Diversity	Equality and Diversity were considered and scored as part of the formal tender and evaluation process.
Commissioning and Procurement	The tender was subject to European Procurement Regulations and required publication in the Official Journal of the European Union (OJEU).

## 7 Appendices

7.1 None.

## **8 Background Papers**

8.1 None.