

Briefing Note

Procurement

1.0 Background

1.1 The three contract for ground maintenance in Menheniot comes to an end on 31 March 2020, and councillors are reviewing the methodology and content of the new contract. Discussions have been ongoing with the Parochial Church Council to explore the possibility of incorporating their own burial ground grass-cutting into the parish council's contract in order to provide better value for money and continuity of service. This briefing note will identify the administrative changes needed for the new contract and summarise issues where the PCC and PC have made in principle agreement about the management of the contract. Any matters relating to the management of the works will have to be agreed separately by the Parish Council and the Parochial Church Council before implementation.

2.0 Administrative issues

2.1 These are updates that need to be made due to the timescale, changes in this council's Standing Orders and legislation around the living wage (references are to the draft tender documents)

Introduction

Contract length: 2 years not 3 (following discussion with the PCC)

Description of services: now includes the burial grounds of St Lalluwys Church

Section 2: Tendering Timetable

Dates have moved on 3 years.

Section 3: Evaluation.

The obligation not to accept the lowest cost bid, previously contained in Standing Orders, is now referenced in the council's Financial Regulations.

Appendix 2: Social Value

The UK Living Wage has been amended to show the current level of £9.00 per hour.

3.0 Specifications

3.1 Discussions are still current on the final scope of the work, and a final proposal will be presented to councillors at their public meeting on 21 November 2019. However, the substantive change will be the inclusion, as a standalone contract, of the burial grounds of St Lalluwys Church (Appendix 1, Contract 2). These details have been confirmed by the PCC, and additional works on behalf of the parish council will be included later.

4.0 Contract Management

4.1 The contract for all works will be in the name of the parish council. This will require additional agreement between the head parties on how the contract should be managed. At their meeting on 1 October 2019, these items were agreed, subject to endorsement by the parish council:

Who will supervise the burial ground grass cutting?
PCC will supervise all work carried out on their premises

Who will issue instruction to the contractor in the burial ground?
Clerk will issue instruction after taking notice from the PCC

Who will assess quality of work in the graveyard?
PCC who will then confirm if payment should be made.

How is payment for church grasscutting made?
The contract is between the parish council and the contractor, so the PC will make payment in full and recover an appropriate sum from the church.

Does this assume that the church will be given a grant for 2020/21?
No. The purpose of the joint procurement is to obtain better value for money for all parties. If the church apply for and receive a grant, the PC will retain the funds and pay up to the amount of any grant. Anything charges above that amount will be invoiced back to the church at cost. If no grant award is made, the PC will still charge the cost of grass cutting back to the church.

Will the contractor taking on the church grass-cutting be allowed to subcontract?
Yes, but subject to satisfactory references as the PC always does with direct contractors.

Will the church be involved in selecting the successful bid?
The contract is made between the PC and contractor, so the PC will make a final decision overall. However, this decision will be informed by the church's opinion, and if they consider that the contractor (for the church grass-cutting) is not suitable, the PC will support their advice. The contract for church grass-cutting is a separate contract within our process, so it is possible for the PC to reject any bid without it affecting the parish councils.

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