

Environment and Climate Change Islington Town Hall Upper Street, N1 2UD

Report of: Executive Member for Environment, Air Quality and Transport

Meeting of: Executive

Date: 30th November 2023

Ward(s): All

# Subject: Procurement Strategy for Renewal of the Main Parking Contract

# 1. Synopsis

- 1.1 This report seeks approval for the procurement of the parking services contract, which includes on street parking enforcement, CCTV enforcement, cashless parking services, CCTV clip review, and sundry business processing services including printing, scanning and posting, and the purchase of additional parking related services, for example, new CCTV cameras during the term of the contract.
- 1.2 The procurement of this contract will be completed in accordance with rule 2.8 of the Council's Procurement Rules (the "Rules").

## 2. Recommendations

- 2.1 To approve the procurement strategy for the procurement of parking services as outlined in this report.
- 2.2 To delegate authority to the Acting Corporate Director of Homes and Neighbourhoods in liaison with the Executive Member for Environment, Air Quality and Transport to award the contract for an initial period of four years with optional

contract extensions of an additional four years and an additional 2 years (total contract term 10 years).

# 3. Background

#### 3.1 Nature of the service

- 3.1.1 The Council has a statutory requirement to manage on street parking. The current parking operations service contract covers on-street and CCTV parking enforcement, as well as a range of support services (including business processing services, payment services via cashless parking and permit issue). It is also important to remember the policy objectives behind our parking scheme including responding to climate change/net zero carbon objectives, cleaner air, reducing traffic and emissions and creating liveable neighbourhoods, keeping cycle and bus lanes free and ensuring emergency corridors are kept clear/ Key policy objectives set out in the Council's Vision 2030 Strategy and Transport Strategy 2020 2041 relevant to the parking scheme include:
  - Reduce the volume and proportion of trips made by motor vehicles in Islington.
  - Reduce carbon emissions by encouraging walking and cycling and transforming the borough's streets.
  - Improve local air quality by reducing transport-related pollutants that are harmful to health and the environment.
  - Reduce transport-related pollution including noise, light and vibration and associated negative health and environmental impacts particularly in sensitive locations.
  - Ensure that new developments reduce the need to travel and are car-free.
  - Encourage residents and businesses to switch to low emissions vehicles.
- 3.1.2 The current parking contract detailed in paragraph 3.1.1 above expires on 31 August 2024. The average annual cost of the existing contract is £7,900,000 per annum. The current service generated a net income of £30,506,000 for the Council in 2021/22. There are strict controls linked to this income to the Council meaning this money can only be spent on improving transport and environmental services.
- 3.1.3 A number of smaller contracts that support the current contract have been aligned to expire at the same time/shortly after the expected go live date of the new parking contract.

- 3.1.4 The Council intends to include in the new contract parking enforcement on-street and CCTV services along with cashless parking services, CCTV clip review and sundry services including printing, scanning, and posting.

  The proposal is to include the back-office IT systems to support the contracted service delivery as well as digital interfaces to allow the council to integrate parking service access for resident as part of the resident experience programme. Broader line of business applications related to parking, and the purchase of additional CCTV cameras during the term of the contract will also be included as an option, with no
- 3.1.5 The reason for the alignment of parking services contracts is the benefit from increased economies of scale by going to the market to secure one contract that includes a wider range of service requirements.

obligation on the Council to proceed with any or all of these options.

3.1.6 The existing cashless parking contract expires on 31 March 2025 (inclusive of all potential extension periods). Following this date, it is proposed this service is delivered as part of the new parking contract. This allows time for the new contract to stabilise and minimise potential service disruption. The new parking contract supplier will be required to secure the most economically advantageous cashless parking supplier for the Council. This will be done in accordance with Council's requirements documented in the specification issued in the tender pack for the new parking contract.

#### 3.2 Estimated value

- 3.2.1 The parking revenue account will continue to fund this service. It is estimated the value of the new parking contract could be up to £16.9m per annum as additional services may be included over its duration as set out in the above section of this report. The estimated total contract value should the contract run for the full 10 years is £132,560M. An estimated annual inflation rate of 6.4% has been used in this contract value estimation.
- 3.2.2 The contract term of four years plus a further optional four-year extension, with an additional optional two years extension at the end (total ten years) is recommended. Four-year periods are recommended as this is the depreciation period on the various equipment required for this contract (cars, mopeds, handheld computers etc). Therefore, this contract structure allows for a refresh of all equipment at contract commencement, and again at the first optional extension point (assuming the council is content with the performance of the supplier). This will ensure up to date equipment is used at all times. The soft market engagement carried out by the

Council has confirmed that minimum four-year periods are most attractive to suppliers in the market, shorter periods would not allow them time to achieve a return on their investment. The two-year final optional extension is only intended to be used if the Council needs additional time to re-procure this contract.

3.2.3 This will be a single source/single lot contract managing multiple suppliers.

Due to the length of this contract, it is recommended to include an annual indexation clause linked to the Consumer Prices Index (CPI) The Council is unlikely to attract bids from suppliers without provision for an inflationary uplift. The supplier will have to demonstrate their increased costs to the satisfaction of the Council before any increase is agreed above any increase needed to maintain the London Living Wage (LLW) for affected staff.

- 3.2.4 Soft market testing has assisted in the decision to procure a single supplier, via a single lot, (managing a supply chain) to deliver this service. This will provide the best value for money for the Council and potentially achieve year on year savings, via innovation and service efficiency. This is due to the economies of scale that we expect to achieve from a single provider operating all services. All suppliers in the market will have significant 'buying power' for the sundry services to be included as part of the new contract as they source these on a national/international level. There may also be internal savings in contract management and monitoring costs as the team responsible for this area would only have one supplier to deal with.
- 3.2.5 It is proposed to introduce an income share scheme to the new contract whereby any savings put forward by the supplier and successfully implemented will be split 75/25 (in favour of the Council), this will ensure that there is sufficient incentive for the supplier to introduce innovation and efficiency to the benefit of the Council and residents.
- 3.2.6 Due to the current economic inflationary issues, it is difficult to predict whether any savings can be achieved in the early years of this contract. It is likely that savings will be achieved over time, when the new contract has 'bedded in' and identified new working practices and innovation that can achieve efficiency savings. This could be in the form of new technology not currently available or changes to working practices such as Civil Enforcement Officers starting shifts from home (rather than travelling to a base) which would facilitate the closure of premises and release a capital asset for the Council. This would also reduce CO2 emissions. Continuous improvement of this contract will be monitored via monthly contract management meetings and quarterly senior level contract management meetings. These will track

performance to ensure key performance indicators are met and also any proposed savings.

#### 3.3 Timetable

The estimated timetable for the completion of this procurement is:

- Approval to procure 30 Nov 2023
- Invitation to tender –February 2024
- Evaluation of submissions –March 2024 April 2024
- Contract award May 2024
- Mobilisation period June 2024 September 2024
- Start of new contract 1 Sept 2024
- 3.3.1 The current contract expires on 31 August 2024. A new contract must commence on 1 September 2024 to ensure statutory requirements are met.
- 3.3.2 Staff within the parking team and also suppliers within the industry have been consulted. There is no requirement to consult residents because this is a contract to ensure continuity of service, rather than introduce, for example, new restrictions. Weekly project team meetings have been held since September 2022 and project board meetings held monthly since April 2023. These are being attended by key stakeholders from within the parking service and other Council departments with an interest in the new contract.
- 3.3.3 A Prior Information Notice (PIN) was published on the Council e-tendering portal in January 2023 to alert all potential suppliers to the future opportunity of this contract and invite them to attend an informal soft market engagement event. The purpose of the event was to engage with the market and help the Council identify opportunities to secure increased value from the future contract and learn about latest industry innovation from suppliers. These events were very successful and attended by 13 suppliers. The results of these events have helped inform the direction the Council wishes to proceed with regards to the new contract.

#### 3.4 Options appraisal

A number of potential procurement routes were considered as part of the development of this strategy. The options considered were:

3.4.1 <u>Option 1</u> - Do nothing.

This is not a viable option as the Council has a statutory duty to undertake these services.

#### 3.4.2 Option 2 - Take the service in-house.

The benefits of this option would be greater levels of control over the service. However, this option is not recommended as it would result in significant additional costs to the Council. Following an analysis carried out by the service this additional cost is estimated to be in the region of £2m - £2.5m per annum. See background paper for detailed in/out analysis costings. Bringing the service in-house would also negate the resilience associated with a contracted service, e.g. flexibility of the supplier being able to deal with peaks and troughs in workload. There can be reductions in productivity when a service such as this is operated in house because terms and conditions would align with the Council's and the staff would receive higher levels of annual leave and sickness pay, this would mean additional staff would be required to achieve the same level of enforcement hours. There would also be significant additional costs in operating some elements of the service, for example, the pound. The pound is currently operated by NSL and shared between 3 London boroughs, thus reducing costs. We would no longer have access to this and would need to operate our own pound, including premisses, at significant additional costs.

#### 3.4.3 Option 3 - Procure multiple contracts via Lots.

This option was explored but is not considered to achieve economies of scale as Council buying power would be reduced. There would also be additional contract management costs managing multiple suppliers. Where other authorities have taken this approach, they have had little or no interest from the market in some of the smaller lots.

#### 3.4.4 Option 4 - Use of an existing framework agreement

No framework agreements are available to procure the parking enforcement service which makes up the primary requirement of the new parking contract. Framework agreements are available which could be used to procure sundry and support elements of the service but for reasons set out in the report it is preferrable to secure these through the new contract.

# 3.4.5 Option 5 (recommended option) - Competitive tender exercise using the Open Procedure

The preferred procurement route is a competitive tender process to select a single supplier. The reason for this is that this will provide the best value for money for the Council via economies of scale in the provision of services. This is a relatively small market consisting of very large suppliers with significant buying power. This option also ensures that all services are covered. There are considerable advantages to

using a single source supplier to manage sub-contractors as all sub-contractors used will be fully compatible and well-integrated. This option will allow innovation to be introduced easily across all elements of the service in a more co-ordinated way. There are also likely to be internal contract management efficiencies managing a single supplier, rather than multiple suppliers.

3.4.6 The option of collaboration with other boroughs on this contract has been considered. However, it is not considered a viable option as neighbouring boroughs have different requirements with regard to the parking services in their areas and the end dates of their existing parking related contracts do not align with the Islington contracts.

#### 3.5 **Key Considerations**

- 3.5.1 As a contractual requirement all vehicles used to deliver the service (with the exception of the recovery vehicle) will be fully electric from day one of the contract. Issues with the cost and reliability of a fully electric recovery truck prevent this being considered from the start of the contract. However, it is envisaged that this will be a viable option within 18 24 months. The use of alternative forms of green transport such as bicycles will also be encouraged.
- 3.5.2 The new contract will contain a robust set of key performance indicators which will be related to financial payments depending upon the performance of the supplier.
- 3.5.3 There are significant opportunities for the Council to secure additional social value through this contract in partnership with the chosen supplier. The Council will obtain social value from this contract. We will be assisted with the deliverables by the Affordable Workspace Team who will assess and score bidders responses. In addition, the Affordable Workspace Team will contract manage the social value deliverables throughout the contract.

There are a number of social value deliverables that can be used within this contract including employment, green economy and net zero, and utilising local businesses. The list of possible social value outcomes will be included within the tender, and scores given on the best use of these deliverables that directly tie into the contract aims.

We will work with the Affordable Workspace Team and relevant Officers to ensure maximum social and economic benefits are achieved through this procurement opportunity.

- Areas of social value which will be sought through this contract are:
- The existing parking service does already employ a large number of people from within the borough, particularly front line Civil Enforcement Officers. The new supplier will be required to work with the Council's iWork team to continue to advertise vacancies targeted on a 'local first' approach.
- The supplier's staff will be encouraged to participate in voluntary schemes.
- It is also intended that employees will be provided with good quality training and support services in relation to health and safety, lone working and trauma.
- The supplier will also be encouraged to further diversify the workforce, offering opportunities for disabled people and women.
- The contract will support the Council's 'Local First' approach to provide in borough employment and training opportunities for career progression, targeting local people via apprenticeships, encouraging those that are 'not in education, employment or training' (NEET's) back to work including ex-offenders and people that have left military service, schemes working with the homeless community to providing housing and employment, staff participation in voluntary schemes.
- Employees will be provided with good quality training and support services in relation to health and safety, lone working and trauma. The supplier will also be encouraged to provide accessible internal training and development schemes and opportunities to help their staff progress in their career within the parking service.
- The supplier will also be encouraged to further diversify the workforce, offering opportunities for disabled people and women.
- 3.5.4 London Living Wage will apply to all employees based in London. The contract will forbid zero hours contracts.
- 3.5.5 Best value and continuous improvements will be encouraged by the proposed income share scheme as explained earlier in the report.
- 3.5.6 The contract will be heavily focussed on environmental sustainability. The carbon footprint from the largest part of this contract, enforcement, is already low because Civil Enforcement Officers mostly travel by foot. However, this will be further reduced by a fully electric fleet from day one (except the recovery vehicle) and use of alternative working practices.
- 3.5.7 TUPE, pensions and staffing implications will apply to this contract. The anonymised details will be available to the bidders during the tender process.

#### 3.6 Evaluation

- 3.6.1 The tender will be conducted in one stage, known as the Open Procedure, as the tender is 'open' to all organisations who express an interest. The Open Procedure includes minimum requirements which organisations must meet before the rest of their tender is evaluated.
- 3.6.2 Bidders will be required to have three case studies of similar service/operations provided in the UK or other countries. This has been decided (based on the soft market supplier days) as it will open opportunities to European and American suppliers, as opposed to just UK suppliers. This significantly opens up the market to companies considered to be competent and capable, with very large presences in other countries, and trying to further penetrate the UK. These companies could provide the Council with an improved level of service, funding technology and enabling the Council to be at the forefront of innovation and a leader in the UK parking market. The Council would be a flagship contract for any supplier (UK or non UK based) and therefore a high quality level of service can be expected. To mitigate any risk, any supplier not UK based would be required to comply with UK IT requirements and data storage would need to be UK or Europe based. Compliance with these requirements will be established during the first parts of the tender process and suppliers that do not meet these requirements will not have their tenders fully evaluated in the process.
- 3.6.3 Cost and quality award criteria will be weighted 60% quality/40% cost

The full evaluation criteria is below:

- 40% price
- 20% social and added value, including environmental credentials
- 25% quality of on street enforcement operation including CCTV clip review
- 10% quality and functionality of cashless parking
- 5% quality of business processes (printing, scanning and posting)

#### 3.7 Business risks

3.7.1 There is a risk that the market will not tender for this contract. This risk will be mitigated by a fair and reasonable specification and contract that is beneficial to both parties. The Council has also undertaken extensive market engagement to prime suppliers to this opportunity.

- 3.7.2 There is a risk that contract costs will increase, mostly due to current economic forces. This risk will be mitigated by the 'economies of scale' size contract where the supplier can generate profit from a range of services. For example, the international /national companies have far better buying power than the Council alone.
- 3.7.3 There is a risk that the procurement may fail. The Council is attempting to reduce this risk by having a high level of governance via a senior project board and a robust procurement process.
- 3.7.4 There is a risk of disruption to service provision linked to the start of the new contract. This risk is mitigated by the Council have a robust project team structure overseeing this procurement and we have also set aside a sufficient contract mobilisation period prior to the contract starting. The Council also has the advantage that it owns premises the service operates from.
- 3.7.5 It is proposed that the contract is opened up to European and American providers that currently have a limited presence in the UK but are trying to further access the UK parking market. These new suppliers can provide technologically innovative working practices that produce service efficiencies. There is also the benefit that market competition is expanded from the current 3 large suppliers likely to be capable of a contract of this size, to 5 suppliers. In order to mitigate any IT risk associated with storage of data, it will be a contractual requirement that data is stored preferably within the UK, or alternatively in Europe.
- 3.7.6 The business opportunities associated with this procurement are achievement of economies of scale, improved 'seamless' service, ease of introduction of innovation leading to savings and improved resident experience and reductions in resource required for contract management and monitoring. There may also be the opportunity to down-scale premises in order to release important capital assets for the Council. These will be managed via the internal contract management team.
- 3.7.7 The Employment Relations Act 1999 (Blacklist) Regulations 2010 explicitly prohibit the compilation, use, sale or supply of blacklists containing details of trade union members and their activities. Following a motion to full Council on 26 March 2013, all tenderers will be required to complete an anti-blacklisting declaration. Where an organisation is unable to declare that they have never blacklisted, they will be required to evidence that they have 'self-cleansed'. The Council will not award a contract to organisations found guilty of blacklisting unless they have demonstrated 'self-cleansing' and taken adequate measures to remedy past actions and prevent

re-occurrences.

3.7.8 The following relevant information is required to be specifically approved in accordance with rule 2.8 of the Procurement Rules:

| Relevant information     | Information/section in report   |  |
|--------------------------|---|--|
| 1. Nature of the service | Parking services including on street parking enforcement, CCTV enforcement, cashless parking services, CCTV clip review, and sundry services including printing, scanning and posting. Addition of business application services may be included at a later date.   |  |
|                          | See paragraph [ 3.1]  |  |
| 2. Estimated value       | Year 1- 2024/25 Year 2- 2025/26 Year3- 2026/27 Year 4- 2027/28 Year 5- 2028/29 Year 6- 2029/30 Year 7- 2030/31 Year 8- 2031/32 Year 9- 2032/33 Year 10- 2033/34 Accumulative Cost The proposed initial contract terroption for an extension of a furth option to extend for a further 2 y term of the contract is 10 years. See paragraph [3.2] | £16,895,908.52<br>£132,560,369.87<br>m is 4 years with an<br>er 4 years, and a final |
| 3. Timetable             | As set out in the report. See section [3.3]   |  |

| 4. Options appraisal for tender procedure including consideration of collaboration opportunities  | Following an options appraisal, the recommended procurement option is a tender using the Open Procedure in accordance with the Public Contract Regulations 2015.  See paragraph [3.4]   |
|---|---|
| <ul> <li>5. Consideration of:</li> <li>Social benefit clauses;</li> <li>London Living Wage;</li> <li>Best value;</li> <li>TUPE, pensions and other staffing implications</li> </ul> | The service has clear opportunities to secure significant social value and these will be embedded in the quality element of the tender process, which will form 20% of the overall quality component. Social and added value will be provided annually over the course of the contract.  The LLW will be a requirement of the successful supplier payable for staff based in London.  Best value and continuous improvement will be provided annually over the course of the contract.  There are no TUPE, pensions and staffing implications for the Council although there will be for the supplier.  See paragraph [3.5] |
| 6. Award criteria   | 60% quality / 40% price. The award criteria price/quality breakdown is described within the report.  See paragraph [3.6]  |
| 7. Any business risks associated with entering the contract   | The identified business risks and opportunities are detailed in the report.  See paragraph [3.7]  |
| 8. Any other relevant financial, legal or other considerations.   | See paragraph [4]   |

## 4. Implications

#### 4.1 Financial Implications

- 4.1.1 This report seeks approval to re-procure parking enforcement on-street and CCTV services as the contract expires on 31 August, 2024, along with cashless parking services, business processing, CCTV clip review and sundry services including printing, scanning, and posting (the rest of which expire about two years later). Please refer to the table in section 3.7.8 "Estimated Value". Whilst costs are projected to, on account of CPI, rise annually from £10.8m in 2024/25 to £16.9m in 2033/34, ten years later, when the proposed contract would expire (if renewed and extended). Incomes are expected to rise from £38m to about £45m for same period. The contract duration will be for an initial period of four years with the Council having the option to renew it for another term of four years, and may further extend it for two additional years (giving a maximum term of ten years).
- 4.1.2 Evaluation of bids will ensure a weighting factor of 40% on cost, 40% on various quality measures, and 20% on social and added-value, including environment credentials. It's expected that some additional savings may also be realised as the cost of providing CPI increases to cashless parking element of the contract may not be borne by the Council.

#### 4.2 Legal Implications

- 4.2.1 The value of the proposed contract is above the threshold at which the Public Contracts Regulations 2015 (as amended) ("the Regulations") applies to the procurement of goods and services contracts (currently £213,477 Indicative value exc 20% VAT £177,897)As such, the Council is required to procure the contract fully in accordance with the Regulations. The contract is also subject to the Rules.
- 4.2.2 As detailed in sections above, the commissioning intention is to re-procure parking enforcement on-street and CCTV services as the existing contract expires on 31 August, 2024, along with cashless parking services, CCTV clip review and sundry services including printing, scanning, and posting (the rest of which expire about two years later). The proposal is to include the back-office IT system during the term of the contract and also, additional parking related services, for example, the purchase of CCTV cameras would be included as an option with no obligation on the Council. The Council will need to ensure that the contract states that the Council is under no obligation to include these services within the scope of the new contract but the Council may wish to do so during the term of the contract.
- 4.2.3 The intention is to use the Council's standard Terms and Conditions. The terms of this contract comply with the council's Rules relating to contract provisions. Following award, the contract and details of the award must be published on Find a Tender and Contracts Funder. All contracts with a value above £500,000 will need to be sealed.

- 4.2.4 As the proposed value of the contract exceeds £500,000 the decision as to the award of the contract lies with the Executive (Rule 18.1.4). However, as set out in Rule 16.2 of the Rules, the Executive may delegate its responsibilities to Corporate Directors. As such, it is possible to approve Recommendation 2.2.
- 4.2.5 The Local Government Act 1999 requires the Council to make arrangements to achieve Best Value in the exercise of its functions when considering service provision.
- 4.2.6 The Council has power to enter into the contract under section 111 of the Local Government Act 1972 and section 1 of the Local Government (Contracts) Act 1997 which enable the Council to carry out any activity that is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions, and to enter contracts accordingly.
- 4.2.7 The decision maker can approve the Recommendations contained in this report provided they are satisfied with the contents of the report, and they consider the award represents best value for the Council.

# 4.3 Environmental Implications and contribution to achieving a net zero carbon Islington by 2030

4.3.1 There have been no recommendations provided by the Energy Services team after reviewing the Environmental Impact Assessment, and approval was given on the 28 June 2023.

#### 4.4 Equalities Impact Assessment

- 4.4.1 The Council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The Council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The Council must have due regard to the need to tackle prejudice and promote understanding.
- 4.4.2 An Equalities Impact Assessment was completed on 16 June 2023. The main findings are that the impact across the board will be neutral, with no adverse impacts identified for any protected groups. The full Equalities Impact Assessment is appended.

### 5 Conclusion and reasons for recommendations

- 5.1 The Council has a legal duty to provide parking services. It is recommended that a new contract is procured and awarded to the successful supplier upon the completion of the procurement process to ensure this service continues following expiry of the existing contract in 2024.
- 5.2 The approach to this procurement outlined in the report is considered to be the best route to achieving best value and quality of service for the Council and its residents.

#### **Appendices:**

Appendix A – Equality Impact Assessment

#### **Background papers:**

In/outsourcing analysis (available from the author on request)

#### Final report clearance:

Approved by:

#### Cllr Champion, Executive Member for Environment, Air Quality and Transport

Date: 21 November 2023

Report Author: Sara Bailey, Specialist Parking Project Manager

Tel: 07400 286662

Email: sara.bailey@islington.gov.uk

Financial Implications

Author: Jacob Ogundadegbe

Job title: Finance Manager – Parking Services

Tel:020 7527 6491

Email:jacob.ogundadegbe@islington.gov.uk

Legal Implications approved by Mark Ferguson, Senior Commercial Contracts & Procurement Lawyer.

Tel: 020 7527 3099

Email: mark.ferguson@islington.gov.uk