
From: Duncan Fraser
Sent: 02 September 2007 18:42
To: Rebecca Andrew
Cc: andy.conway@edinburgh.gov.uk
Subject: RE: Fast procurement of consultants for work on tram business case

Andy can assist with the process for appointing Searle Suite

Objective to review contract documentation including the:-

21 December 2006 FDBC

Current information on the FBC

risk register for tie, tel and CEC

DLA- risk register and the document that AF had which had more detail

the Infraco Contract- bespoke

OCIP

Employer Requirements- current printed document with Colin

VE information

Any other information from tie, especially information relating to the transfer or limiting of risk to the contractor

Other risks like cash flow, TEL business case, loss of bus revenues due to lost running time, tram revenues etc.

The objective would be to prepare a report setting out the risks in financial terms with a commentary on these and also provide a recommendation on further headroom required. They would be advised about the funding and asked the question do they believe that £500m + £45M = £545M = bid offer + risk allowance (range) + headroom

Timescale for reporting would require to be set to meet the agreed programme with Miriam and her provision of information leading up to the 25 October report and provision for a final review for 20 December 2007.

Regards

Duncan Fraser

Tram Coordination Manager / City of Edinburgh Council
Level 1 / Citypoint / 65 Haymarket Terrace / Edinburgh / EH12 5HD
Citypoint (tie [REDACTED] City Chamber [REDACTED])
duncan.fraser@edinburgh.gov.uk

From: Rebecca Andrew
Sent: Fri 31/08/2007 18:14
To: Donald McGougan; Duncan Fraser
Subject: FW: Fast procurement of consultants for work on tram business case

Rebecca Andrew | (Acting) Principal Finance Manager | Financial Services | The City of Edinburgh Council | Waverley Court, Level 2:5, 4 East Market Street, Edinburgh, EH8 8BG | Tel [REDACTED] |
rebecca.andrew@edinburgh.gov.uk | www.edinburgh.gov.uk

From: Ron Hardwick
Sent: 31 August 2007 15:16

To: Rebecca Andrew
Cc: Graeme Hastie
Subject: RE: Fast procurement of consultants for work on tram business case

Hello, Rebecca

The principles are enshrined in the Standing Orders for Consultancy and my Code of Practice for buying in consultancy. The latter was ratified by the Council way back in 1988. However, there is a requirement under the Public Contracts (Scotland) Regulations 2006 to advertise all contracts, whether above or below the EU threshold. We have fixed a lower threshold of £20,000, so if the contract is likely to be more than that, it will have to be advertised on CoPP's Supplier Exchange website. You will have to prepare a scope/specification documents, some terms and conditions of contract and be prepared to issue tenders to a minimum of three suppliers. CPU can help you. You will need to speak to Graeme Hastie, procurement manager, who will find a contract specialist to work with you. I attach the relevant standing orders and consultancy procedures that I mentioned above.

Having said all this, as you will see from the standing orders, the director has powers to approve a single source, if it can be proven beyond reasonable doubt that only a single source will accord with Best Value legislation. I attach my single source justification report that you must have the Director or Karen Kelly to sign off before you can go nap on this. In addition to some rigorous questions about the rationale behind the use of a single source, the SSJ contains a passage of text which states that, by bypassing the low value advertising regime, you are asking the director or his depute to breach EU law, and there are risks attached to that. You need to keep the SSJ in the file for audit purposes.

My advice is to let CPU handle this for you and go out to competition. The matter need not take that long.

Regards

Ron Hardwick
Strategic Procurement and Payments Manager

x 43569

From: Rebecca Andrew
Sent: 31 August 2007 10:39
To: Ron Hardwick
Cc: Duncan Fraser
Subject: Fast procurement of consultants for work on tram business case

Ron,

We'd like to procure consultants to analyse and quantify the risks in the tram business case, to give some comfort on the work carried out by tie ltd and its advisers.

As the Council needs to approve Final Business Case and select the preferred bidder on 25th October, the procurement process needs to be quick. It is unlikely that the cost will be in excess of £25k, but I thought I'd contact you in case you saw any issues in terms of the Council Policy or procurement law.

I'd be grateful for any advice you have.

Kind regards,

Rebecca

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