

## Officer Decision Report

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**Title:** External Financial and Technical Advisor Contracts Extensions Review – Waste Management Delivery Unit

**Date decision taken:** 11 September 2019

**Author:** Claire Oakins

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**Local Members Affected** All

### Decision

To approve the extension of the technical and financial advisor contracts (with Resource Futures Ltd and New Networks Limited respectively) by the full available period of 24 months (from 27 November 2019 to 26 November 2021).

The recommended option will provide the County Council and the new unitary council with access to competent external technical and financial support for key projects. It meets the review team's key tests for flexibility, efficiency, services continuity and staff resource optimisation.

### Reasons for the decision

Buckinghamshire County Council's Waste Delivery Unit (WDU) appointed two external advisors in November 2017 using a mini-competition organised under the ESPO-Consultancy framework. The successful advisors were Resource Futures Ltd (with Mott MacDonald as sub-contractors) as the Council's technical advisor; and New Networks Limited as the Council's financial advisor. The contracts with the two advisors commenced on 27 November 2017, with an initial duration of 24 months i.e. initial expiry date of 26 November 2019. The contracts can be extended by a further period of 24 months, in annual instalments or part thereof.



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The two external advisors have provided technical and financial support to various waste projects since their appointment. Work areas which have benefitted from the advisors' support include: the Council's Household Recycling Centre service; High Heavens waste transfer station (WTS); the Energy from Waste (EfW) facility annual maintenance review; and ongoing technical reviews. The Council requires additional external support to provide skills and knowledge to support the delivery of relevant projects. This external support is anticipated to be required by the Council and the new unitary authority beyond November 2019, when the current contracts expire. A number of key projects will be adversely impacted if the contracts are not extended and external support is not available after November 2019. In the short-term, a re-tender of the two contracts is unlikely to achieve better VfM for the Council.

### Authority to take this decision

This decision has been delegated to an authorised officer following consultation with the Cabinet Member for Planning and Environment.

### Other options available, and their pros and cons

The Council's project leads, who have been receiving support from the external advisors on various projects, have confirmed that the two contracts continue to perform well. This has been an important consideration during this extension review exercise. It is not desirable to risk continuity of high-performing contracts for a short term change that may not offer better value for money (VfM).

To assess whether or not an extension of the two contracts was preferable, three options were considered for the two contracts as follows:

- Option 1: No extension i.e. the contracts to expire on 26 November 2019;
- Option 2: Extension by 1 year to 26 November 2020; and
- Option 3: Extension by 2 years to 26 November 2021.

The pros and cons for the three options are outlined in the table below.

Option	Pros	Cons
Option 1  <b>No extension</b>	None  <b>This option is not being recommended.</b>	<ol style="list-style-type: none"> <li>1. This will leave the Council without much-needed technical advisor support at a critical point for some projects.</li> <li>2. Not extending the current contracts will result in lack of continuity for some key ongoing projects. There is currently a lack of internal capacity and capability to address specific, technical project requirements.</li> </ol>
Option 2  <b>1-year extension</b>	<ol style="list-style-type: none"> <li>1. This option will enable the Council to continue to benefit from VfM technical support during an important period for ongoing projects. It will help the new council to achieve suitable</li> </ol>	<ol style="list-style-type: none"> <li>1. A one-year extension to November 2020 means that a new procurement exercise for external advisors may be needed at a time when the new unitary council is still bedding in. This could introduce some disruptions to</li> </ol>

Option	Pros	Cons
	<p>efficiency for the delivery of key projects.</p> <ol style="list-style-type: none"> <li>2. This option will enable the Council to have access to competent advisors during the transition to unitary status. This option provides sub-optimal continuity for the new council.</li> <li>3. This option could be suitable if the new Council wanted to undertake a further review to determine if the final year of contract extension (i.e. from November 2020 to November 2021) will be required. However, a review during 2020 could place avoidable demands on council staff resources which may be more beneficially used for bedding in services under a new unitary structure.</li> </ol> <p><b>This option could be a viable fall-back solution to the Preferred Option (see Option 3 below).</b></p>	<p>any relevant projects that are ongoing at that time.</p> <ol style="list-style-type: none"> <li>2. A new procurement exercise will result in additional demands on staff time.</li> </ol>
<p>Option 3</p> <p><b>2-year extension</b></p>	<ol style="list-style-type: none"> <li>1. This option will enable the Council to continue to benefit from VfM technical support during an important period for ongoing projects.</li> <li>2. This option will enable the Council to have access to competent advisors during the transition to unitary status and beyond. This option provides suitable continuity for the new council.</li> <li>3. This option provides suitable stability in terms of advisors and avoids the need for a new procurement exercise for advisors in the short-term. The extension does not commit the County Council or the new unitary council to giving the advisors work nor does it confer exclusivity in the event that the council wishes to use other advisors.</li> <li>4. An extension will allow the new</li> </ol>	<ol style="list-style-type: none"> <li>1. The new Council might benefit from having the ability to review the contracts within the next year to decide whether or not a further extension of a year is needed. However, this may not be desirable due to need to prioritise staff time at a time of considerable change.</li> </ol>

Option	Pros	Cons
	<p>council to prioritise the use of internal staff resources at a time of considerable change as unitary services are being bedded in.</p> <p><b>This is the Preferred Option being put forward for consideration and approval.</b></p>	

Based on the assessment and discussions with selected Council project leads that have been/are being supported by the external advisors, it will be detrimental to the Council's interests if the current contracts are not extended. This is because a number of projects are at critical milestones and the loss of external support will have adverse consequences for the successful delivery of these projects. As indicated, the Council does not have internal staff with some of the required specialist skills and knowledge to support the delivery of the relevant projects. In the short-term, a re-tender of the two contracts is unlikely to achieve better VfM for the Council. A retender will also take approximately 3 months to be completed and will place further demands on internal staff time during the procurement exercise.

Extension of the contracts will offer the Council and the new unitary council suitable flexibility in having the ability to draw on external support for the delivery of key waste and environmental projects as and when required. **It is worth stating that extending the contracts does not commit the Council or the new unitary council to giving any work to the advisors.**

The two external advisors have provided much-needed technical and financial support to various waste projects since their appointment in November 2017. This external support is anticipated to be required by the Council and the new unitary authority beyond November 2019, when the current contracts expire. A number of key projects will be adversely impacted if this external support is not available after November 2019. The Council is contractually allowed to extend the contracts by 24 months in annual instalments or part thereof.

Following a review of contract performance and the pros and cons of extensions, the following recommendation is being put forward for consideration and potential approval:

**It is recommended that both the technical and financial advisor contracts (with Resource Futures Ltd and New Networks Limited respectively) are extended by the full available period of 24 months (from 27 November 2019 to 26 November 2021).**

### Conflicts of interest

No conflict of interest has been identified or declared.

### Feedback from Consultation

Cllr Bill Chapple, the Council's Cabinet Member for Planning and Environment has been provided updates on the contract review process. The Cabinet Member supports the decision.

***Your questions and views***

*If you have any questions about the matters contained in this paper please get in touch with the Contact Officer whose email address is given at the head of the paper.*

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**Decision Approved**

Signature

A handwritten signature in black ink, appearing to read 'Gurbaksh Badhan', with a long horizontal stroke extending to the right.

**Gurbaksh Badhan, Head of Waste Management  
Transport Economy Environment**

**Date 11 September 2019**