

Public Document Pack

MCA - Officer Delegated Decisions

Monday, 27 June 2022 at 10.00 am

Venue: SYMCA, 11 Broad Street West, Sheffield, S1 2BQ



Agenda

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OFFICER DECISION
27 June 2021

APPOINTMENT OF LEGAL ADVISORS - TRAMWAY CONCESSION

Is the paper exempt from the press and public?	No
<i>Reason why exempt:</i>	Not applicable
Purpose of this report:	Funding Decision
Is this a Key Decision?	Yes
Has it been included on the Forward Plan?	Yes

Director Approving Submission of the Report:
Steve Davenport, Principal Solicitor/Monitoring Officer

Report Author(s):
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Executive Summary

The award of a contract under the Crown Commercial Services Wider Public Sector Legal Services Framework lot 4 to provide legal services to assist with the award of a new operating contract and renewal works required to the Supertram network.

What does this mean for businesses, people and places in South Yorkshire?

Continued operation of the Supertram System

Recommendations

Award a contract under the Crown Commercial Services Wider Public Sector Legal Services Framework lot 4 to provide legal services for the Supertram concession end and system renewals work through to September 2024 to DLA Piper LLP.

1. Background

- 1.1 The Supertram system is coming up for 30 years old and is in need refurbishment due to elements of the system reaching the end of their economic life.
- 1.2 SYPTE has an operating concession agreement for the provision of tramway services and Tram-Train services. The Concession is let to South Yorkshire Supertram Limited (SYSL). The Concession Agreement will end in March 2024. There is a need to implement a future operating model for March 2024.
- 1.3 In order to deliver the new operating model and assist in delivering the refurbishment work external legal support is required through to 2024 for the following:
 - i. the implementation of the chosen operating model;
 - ii. the procurement of new or refurbishment of existing rolling stock; and
 - iii. construction contracts for civil and engineering works; and
 - iv. ancillary matters.
- 1.4 Tenders for the work were sought using the Crown Commercial Services Wider Public Sector Framework. 5 firms were invited to bid, and 3 tenders received. All bidders met the quality threshold. The evaluation was weighted 50% quality and 50% price. The total scores ranged from 45-88 out of 100. The bidder with the highest score and therefore the bid that offers the most economically advantageous tender was received from DLA Piper LLP and accordingly the recommendation is to award the contract to DLA Piper.

2. Key Issues

- 2.1 The appointment of external legal advisors is a key appointment in order for the MCA to achieve a new operating structure by 2024 and to procure the infrastructure works.

3. Options Considered and Recommended Proposal

3.1 Option 1

Not appoint external lawyers- The in-house legal resource do not have the capability and capacity for a project of this specialist nature

3.2 Option 2

Appoint external lawyers- In order to deliver the programme the MCA require the additional resource and expertise

3.3 Recommended Option

Option 2

4. Consultation on Proposal

- 4.1 N/A

5. Timetable and Accountability for Implementing this Decision

- 5.1 The timetable to award the contract is to have the external lawyers appointed by 1st July or as soon as possible thereafter. The Chief Legal and Monitoring Officer is responsible for implementing the decision.

6. Financial and Procurement Implications and Advice

- 6.1 The award has been made via the CCS legal services WPS lot 4 framework. The value of the contract will be managed as part of the overall budget provision for the Mass Transit Project.

7. Legal Implications and Advice

- 7.1 There are no specific legal implications arising from this paper

8. Human Resources Implications and Advice

- 8.1 There are no specific HR implications arising from this report

9. Equality and Diversity Implications and Advice

- 9.1 There are no specific equality implications arising from this report

10. Climate Change Implications and Advice

- 10.1 None arising from this report

11. Information and Communication Technology Implications and Advice

- 11.1 None arising from this report

12. Communications and Marketing Implications and Advice

- 12.1 None arising from this report

Background Papers

Tenders received

Specification of requirements

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