

From: **Paul Carter, Leader of the Council**

To: **Policy and Resources Cabinet Committee**

**1 July 2015**

Subject: Facing the Challenge – Legal Services – Report on the Procurement Process

Classification: Non-Exempt with the exception of Appendix 2

Past Pathway of Paper: **N/A**

Future Pathway of Paper: **N/A**

Electoral Division: All

**Summary:** This report seeks to update the Policy and Resources Cabinet Committee on the process which has been undertaken to conduct a compliant Competitive Dialogue process to secure a commercial partner for KCC to form a joint venture

**Recommendation(s):**

The Committee is asked to consider and note the details and progress of the competitive dialogue process for Legal services.

## **1. Introduction**

- 1.1 This report outlines the process that has been undertaken to engage with bidders following the decision to proceed to procurement which was taken in July 2014.
- 1.2 The aim of the competitive dialogue process is to explore whether a commercial partner can be secured on beneficial terms to form the Legal Joint Venture, this JV would be delivered as an Alternative Business Structure licensed by the Solicitors Regulation Authority.

## **2. Preparation for Dialogue - Key Dates**

- 2.1 The following table shows the key dates of the procurement process prior to the commencement of the Competitive Dialogue.

<b>Date</b>	<b>Description</b>
8 October 2014	OJEU Notice published
10 November 2014	Deadline for expressions of interest and submission of PQQ (pre-qualification questionnaire)
12 November 2014	PQQ Evaluation/KCC Finance Team checks completed
18 November 2014	Supplier Day held at Sessions House
16 January 2015	ISOS (Invitation to submit outline solution) issued to

Date	Description
	bidders
16 February 2015	ISOS deadline for submission by bidders
2 March 2015	Competitive dialogue process commences

### 3. Competitive Dialogue Process

#### 3.1 Bidders engaged in dialogue

There are two bidders engaged in the competitive dialogue process. They are both end to end legal practices with a national coverage. Both already have partnerships in place with other organisations with whom they have formed successful Alternative Business Structures.

#### 3.2 KCC Project Team

- 3.2.1. A full list of the KCC project and delivery team, together with their roles and responsibilities is shown in **Appendix 1**.
- 3.2.2 There are three levels of engagement in the Competitive Dialogue, each requiring input from officers or external providers at different stages of the process, and for specialist areas of knowledge:
1. Competitive Dialogue Delivery Team – present at all dialogue sessions
  2. Advisors – present at some dialogue sessions as required
  3. Kent Legal Services advisors – members of the KLS management team who provide information for bidders on the current operation of legal services

#### 3.3 Quality Assurance

- 3.3.1 The initial stages of the legal services review, up to and including the agreement of the Case to Proceed to Procurement was reviewed and approved by the Corporate Portfolio Office.
- 3.3.2 Since the commencement of the dialogue, an independent reviewer has been in place, who reports directly to the Head of Paid Service. He has attended the majority of the dialogue sessions, has observed project team meetings and has had regular debriefing meetings with the KCC Lead Officer and Programme Manager. He will be observing the final evaluation process.
- 3.3.3 A KCC Procurement Category Manager provides quality assurance from a KCC procurement perspective, and will be observing the final evaluation process.
- 3.3.4 KPMG provides procurement guidance and quality assurance during dialogue sessions and also maintains the master action log for the project team.

#### 3.4 Dialogue key dates and actions

- 3.4.1 A full list of all meetings, conference calls and visits with bidders is shown in **Appendix 2 (Exempt)**
- 3.4.2 Closure of dialogue is anticipated at the end of June, with the Invitation to Submit a Final Tender being issued to bidders on 1st July.

## 4. Member Engagement and Key Decision

- 4.1 Details of the planned engagement with Members, to present both updates and a recommendation paper, leading to a Key Decision is shown in **Appendix 3**.
- 4.2 In addition to these dates, the bidders have met with David Cockburn, Paul Carter and Bryan Sweetland – these meetings are detailed in **Appendix 2 (Exempt)**
- 4.3 A timetable from now until contract award is shown in **Appendix 4**.

## 5. Recommendation

The Committee is asked to consider and note the details and progress of the competitive dialogue process for Legal Services.

## 6. Background documents

- Appendix 1 – KCC Team Roles and Responsibilities
- Appendix 2 – Competitive Dialogue Key Dates (**Exempt**)
- Appendix 3 – Member Engagement and Key Decision Dates
- Appendix 4 – Timetable to contract award

## 7. Contact Details

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