

KENT COUNTY COUNCIL – RECORD OF DECISION

DECISION TO BE TAKEN BY:

Mike Hill, Cabinet Member for Community Services

DECISION NO:

17/00018

For publication [Do not include information which is exempt from publication under schedule 12a of the Local Government Act 1972]

Key decision: YES

Affects more than 2 Electoral Divisions

Subject Matter / Title of Decision

Records Management service storage contract retender

Decision:

As Cabinet Member for Community Services, I agree to:

delegate to KCC officers award and signing of a new contract for the Modern Records Service following completion of the tender process.

Reason(s) for decision:

- The Records Management Service storage is a business critical contract for KCC is compliant with the Lord Chancellor's Code of Practice on the management of records issued under section 46 of the Freedom of Information Act 2000.

Cabinet Committee recommendations and other consultation:

The proposal was considered and discussed by Members of the Economic Development and Communities Cabinet Committee at their meeting on 22 March. Members agreed to endorse the proposal.

Any alternatives considered and rejected:

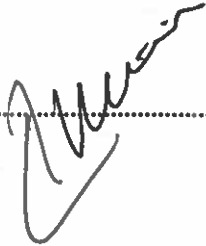
1. **Do nothing and negotiate a contract extension with the current supplier:** This option crucially does not comply with the EC Procurement Directives and thus there would be a significant risk of challenge regarding non-compliant procurement. The impact (if the challenge was successful) may include the contract being found to be ineffective and therefore cancelled, subsequently requiring a re-procurement (of a compliant nature), along with a fine (of an unknown amount), and/ or damages to the complainant.
2. **Bring storage back in house:** This option would involve significant costs in the movement of the over 70,000 boxes currently in storage to a KCC premise. At present no KCC premise or leased location has been identified that has the levels of environmental control and security provided by specialist suppliers.
3. **Extend the contract with the current supplier using a single-source process:** Similar to option 1 this is not recommended as would not be legally compliant and significant risk of challenge.

4. Use an existing Framework contract: There is a compliant framework but it does not have the range of suppliers that were identified at the Market engagement phase and there is a potential of higher costs

Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:

None

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signed



MIKE HILL

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date

4 April 2017