

North Yorkshire Council

Environment Executive Members

25 July 2025

Procurement of Passenger Transport Services – Introduction of an Open Framework

Report of the Assistant Director - Environment and Transport

1.0 PURPOSE OF REPORT

- 1.1 To seek approval from Corporate Director Environment and Executive Members for Highways and Transportation to proceed with the introduction of an Open Framework for the future procurement of passenger transport services across North Yorkshire.

2.0 BACKGROUND

- 2.1 Integrated Passenger Transport procure transport contracts to meet the requirements of Children and Young People Services (CYPS), Health and Adult Services (HAS) and Environment Services (ES) transport services. We work with around 200 contractors who provide a combination of taxi, coach and bus services and have up to 1700 contracts in place at any one time.
- 2.2 The team procure a variety of contracts daily and where possible prices are requested from contractors through the YORtender electronic system. However, where urgent, short notice or emergency transport is needed, phone and email quotations are also used as a method of seeking prices for such Ad Hoc cases.
- 2.3 In addition to the day-to-day procurement, currently, Integrated Passenger Transport (IPT) undertakes to re-evaluate all of its subsidised home to school and subsidised Local Bus Service (LBS) contracts across North Yorkshire through a programme of area reviews; the county is split into four review areas, the whole cycle taking four years to complete. The procurement is then undertaken using the electronic YORtender system.
- 2.4 Special Educational Needs (SEN) contracts are also reviewed on a two-three yearly cycle and are procured through YORtender.
- 2.5 HAS contracts are mainly delivered through the Councils “in house” fleet of minibuses. However, some clients require alternative transport due to the nature of their needs and or the location of their care provision. These additional services are procured by tendering taxi contracts as and when required. This type of transport provision is unpredictable and subject to last minute changes.
- 2.6 The current system is well rehearsed and executed and has worked well for many years but means that repeated, time-consuming procurement processes have to take place throughout the year alongside daily short-term quotation solutions.

3.0 WHAT IS AN OPEN FRAMEWORK?

- 3.1 A tender process is used to put in place a list of suppliers that can be used as and when work is required. Agreements are formed with terms and conditions for all participants of the framework. No contracts are formed from the award of an open framework and each individual mini-competition forms its own individual call-off contract under the specification and terms and conditions already set out in the open framework agreement.
- 3.2 The framework will result in a supplier list being created from successful tenderers. It will be used whenever a need arises for a mini competition to select the best value supplier in each case.
- 3.4 The framework will be used for all Education, Social Care and LBS transport requirements during its life. This means the Council will not have to undergo multiple full procurement exercises thus making the governance and contracting process more streamlined and flexible in its timing.
- 3.5 An open framework can run for up to eight years. It must be reopened for competition at least once in the first three years, and once again in the remaining five years. It will allow for call-off contracts to be awarded either directly or through a mini competition.

4.0 CONSULTATION/FACT FINDING

- 4.1 Market engagement was done with other Local Authority's and Dynamic Purchasing System (DPS) Providers to understand requirements and structures in 2024. Most Local Authorities have existing DPS which will all come to an end October 2028.
- 4.2 An Request for Information (RFI) was published on YORtender February 2025. We received 28 responses. RFI was focused on tender deadlines, routes, mechanisms for charging, what they would like to change. All RFI responses providers were happy with current contracts, length of tendering. No concerns were highlighted.

5.0 LEGAL IMPLICATIONS

- 5.1 An open framework is defined as "a scheme of frameworks that provides for the award of successive frameworks on substantially the same terms". So, it is effectively a framework that rolls over successively and is reopened to new suppliers at set times. An open framework is a hybrid of a dynamic market (which is permanently open to new suppliers) and a conventional framework (which is not open to new suppliers' post award).
- 5.2 An open framework must as a minimum be re-opened at least once during the first three years, and at least every five years following that. There is therefore scope to re-open more frequently, such as on an annual basis, if desired. But the maximum term of any open framework must be eight years (unless there is only one supplier, in which case it is four years).
- 5.3 Suppliers can be readmitted to the open framework (when a successive framework is awarded) in various ways. If there is no limit on the number of suppliers that can be on the framework, contracting authorities can readmit by reference to their previous award, or assess an earlier or new tender. If there is a limit on suppliers, they cannot be readmitted automatically and must be assessed by reference to a new or earlier tender (sections 49(4) and (5), Procurement Act 2023).
- 5.4 Under rule 12.1(i) of the Procurement and Contract Procedure Rules, the Open Procedure can be used in order to comply with the Council's above threshold contract procedures.

6.0 EQUALITIES IMPLICATIONS

- 6.1 Consideration has been given to the potential for any adverse equality impacts arising from the proposed standards. It is the view of officers that the proposals will not have significant adverse impact on any groups of people with protected characteristics identified in the Equalities Act 2010. Proper regard has been given to the public sector equality duty and a 'decision not to EIA' document has been completed. (Appendix A).

7.0 FINANCIAL IMPLICATIONS

- 7.1 The Open Framework would replace the current system of procuring transport services over an initial period yet to be agreed. It is not anticipated that its introduction will provide cashable savings but will reduce the amount of time and processes required on an ongoing basis.
- 7.2 The total budget for procurement per annum for transport services across all areas amounts to around £62m and the Open Framework would be used to procure services in line with the renewal of contracts as and when they are required during that period using allocated budgets.

8.0 CLIMATE CHANGE IMPLICATIONS

- 8.1 Consideration has been given to the potential for any adverse climate change impacts arising from the recommendation. A Climate Change Impact Assessment is included as Appendix B of this report. There are no adverse impacts because of decision.

9.0 RECOMMENDATION

- 9.1 It is recommended that the Corporate Director – Environment, in consultation with Executive Members for Highways and Transportation agrees to proceed with the introduction of an Open Framework for the future procurement of transport services.

APPENDICES:

Appendix A – Equalities Impact Assessment screening form
Appendix B – Climate Change Impact Assessment

BACKGROUND DOCUMENTS: None

Michael Leah
Assistant Director - Environment and Transport Services
County Hall, Northallerton

Report author: Catherine Price - Head of Transport Services