

Annex 3 – Additional Background and supporting information

Subsidy Prices

Unless otherwise detailed, all contracts have been re-tendered on the basis of maintaining the current level of service for the relatively short period until their next scheduled review. In all cases the level of service tendered exactly duplicates that operated by RH Buses prior to entering administration and that operated by the emergency contractor (although two contracts contain additional options to address known issues). It was made clear in the consultation documentation that contracts were to be reviewed on this basis. All contracts will be awarded until their next scheduled review date, which in the case of contracts in the Witney and Chipping Norton area is Saturday 31 May 2014 and for those in the Wantage and Faringdon area is Saturday 30 May 2015.

Exemption from Call-in

On 10 January 2006 Council agreed an amendment to the Constitution which means that the County Council's call-in procedure should not apply to any decision on the letting of a contract arising from termination of an existing contract if the time available is such that allowing for call-in would result in service discontinuity, provided that all members of the relevant Scrutiny Committee had been informed of the circumstances of the decision to be made and had had an opportunity to make representations to the decision maker about it. Since existing subsidy contracts will inevitably end on 1 June 2013, the effect of any call-in would be to prevent introduction of any replacement contracts, thus resulting in complete withdrawal of the services concerned and a consequent service discontinuity. The 10 January 2006 amendment therefore applies.

With regard to that provision, local members and Growth and Infrastructure Scrutiny Committee Members will be advised of the recommended contract awards at least one week before the date of this meeting, which will allow them the opportunity to put their comments in writing or arrange to speak at the meeting.

The above arrangements are separate from the provisions of the Public Contracts Regulations 2006 which allow a 10 day 'cooling-off' period for contractors who have any grievance with regards to the tender awards or processes. Successful tenderers will be advised of the outcome as soon as possible after the meeting so that they will be in a position to register services with the Traffic Commissioners before the end of the 10 day period if necessary. Because of this it will not be possible to disclose any information to the public in respect of the tender awards until before Monday 1 April 2013 (the tenth day of the 'cooling-off' period being the preceding Sunday).

Contract Numbering

Contracts have been given a letter code in the first column of each Annex (and also in any references to the service within this report) and members are recommended to use this code for cross-reference purposes. Existing service and contract numbers are mentioned, for members' information only, in the service descriptions. Both service and contract numbers may change following the award of new contracts.

Contract Termination

Contracts may be terminated on any date by mutual agreement in writing between the parties, or by either party notifying the other of intended termination at not less than 16

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weeks' notice prior to one of the two annual authorised change dates.