

Support for public sector contracts – COVID-19

At Local Partnerships, we are doing everything we can to provide support to hard-working colleagues in the public sector. We have received a number of enquiries in relation to the complex contracting landscape that has been affected by the COVID-19 outbreak. We are already providing advice and support to councils, especially where public service provision is outsourced. We are also supporting a significant number of infrastructure-related projects that are delivered through the Private Finance Initiative (PFI).

The continued provision of core services is vital at a time when resourcing will be significantly impacted.

The flexibility and adaptability of contractors and contracts is essential. All sectors must work together to resolve issues to achieve a mutually beneficial outcome. Any solution must ensure that elements are only changed for an appropriate length of time.

We can help ease the pressure on contracting authorities to vary all forms of contracts quickly, whilst ensuring this is managed carefully and appropriately documented.

Dependent on the nature of the contract, there may be the opportunity to use commercial provisions to optimise service delivery (for example, rescheduling lifecycle maintenance where a facility is closed).

We are a wholly-owned public sector organisation and work exclusively for public sector. We are a joint venture between the Local Government Association, HM Treasury and the Welsh Government.

We have in-depth experience dealing with the issues you or your contractor may be facing. Areas of support we offer are:

- reviewing the form of commercial arrangements in place and prioritising the interventions
- assessing whether COVID-19 would be treated as a *Force Majeure* event or not. This issue is treated differently in different contractual forms
- assessing the robustness of the contracting party due to issues such as the availability of facilities management resources and the financial resilience of the supply chain
- considering whether it is appropriate to alter a service specification in the short term (for example, increasing the frequency of cleaning rotas)
- interpreting the Procurement Policy Advice being issued by Cabinet Office. This new guidance is being issued to deal with pressing issues, including the need to procure other services quickly

Please contact Michael Berrington:

michael.berrington@local.gov.uk

07717 700 111 | 020 7664 3266