

Inter Authority Agreement (2009 update)

THIS AGREEMENT is made the ²⁴ day of ~~October~~ ^{November} 2009 BETWEEN (1) NORTH YORKSHIRE COUNTY COUNCIL of County Hall, Northallerton, North Yorkshire, DL7 8AH ("North Yorks") (2) CITY OF YORK COUNCIL of Guildhall, York, North Yorkshire, YO1 9QN ("York")

WHEREAS

- (A) North Yorks and York entered into an Agreement on 21 January 2008 ("the 2008 Agreement") relating to the joint procurement of certain waste management services ("the project")
- (B) The Councils agree that it is necessary to amend the 2008 Agreement to clarify the arrangements for the making of decisions relating to the project

NOW THEREFORE it is hereby agreed as follows:

1. Definitions and Interpretations

- 1.1 In this Agreement words and phrases shall, unless the context otherwise requires, have the same meanings as in the 2008 Agreement

2. Amendment of 2008 Agreement

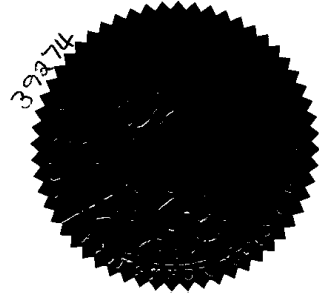
- 2.1 The Councils agree that the provisions of clause 5.2 of the 2008 Agreement which related to the Project Board and was headed as such shall cease to have effect from the date of this Agreement and shall be superseded by the wording in the Appendix hereto
- 2.2 Subject to the amendment in clause 2.1 the Councils confirm that all the terms of the 2008 Agreement shall continue to remain in full force and effect

IN WITNESS WHEREOF the Common Seals of the Councils were hereunto affixed the day and year first before written

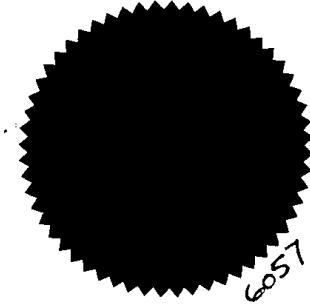
THE COMMON SEAL of NORTH YORKSHIRE COUNTY COUNCIL was affixed in the presence of:-

AUTHORISED SIGNATORY

THE COMMON SEAL of THE CITY OF YORK COUNCIL was affixed in the presence of:-



[Handwritten signature]



APPENDIX

The Project Board

1. North Yorks and York agree that North Yorkshire will delegate such decision making powers as are necessary to progress the project and as are not reserved to the Executive of either Council to North Yorkshire's Corporate Director, Business and Environmental Services (in this and the following paragraphs "**the North Yorkshire Director**")
2. Subject to timely reporting to the Strategic Steering Board the North Yorkshire Director will have power to deal with all project specific issues including but not limited to:
 - ◆ approval and publication of the OJEU notice
 - ◆ selection and evaluation of bidders at all stages of the procurement
 - ◆ issue of all tender documents
 - ◆ management of all stages of the procurement
 - ◆ appointment of the preferred partner and issue of the preferred partner letter.
3. The North Yorkshire Director will exercise the power in 2 above in consultation with the Project Board referred to in 4 below as may be appropriate from time to time; wherever possible this will be in advance of any decision taken by the North Yorkshire Director provided that where this is not possible the North Yorkshire Director will report back to the Project Board as soon as practicable after the decision has been taken by him.
4. The Councils will establish a Project Board the members of which will include the North Yorkshire Director, North Yorks' Assistant Director Waste Management and Assistant Director of Finance of each Council, the Project Director, the Project Manager and a representative of the Councils' external advisers.
5. The Chair of the Project Board will be the North Yorkshire Director.
6. The Project Board shall meet at least once each month.