

Birmingham City Council

Report to Cabinet

Date: 26th March 2019



Subject: **PLANNED PROCUREMENT ACTIVITIES (MAY 2019 – JULY 2019)**

Report of: **ASSISTANT DIRECTOR DEVELOPMENT & COMMERCIAL**

Relevant Cabinet Member: **Councillor Tristan Chatfield, Finance and Resources**

Relevant O &S Chair(s): **Councillor Sir Albert Bore, Resources**

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Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, add Forward Plan Reference: 00xxx/2018		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential :		
3. Information relating to the financial or business affairs of any particular person (including the council)		

1 Executive Summary

- 1.1 This report provides details of the planned procurement activity for the period May 2019 – July 2019. Planned procurement activities reported previously are not repeated in this report.

2 Recommendations

- 2.1 Notes the planned procurement activities under chief officer delegations set out in the Constitution for the period May 2019 – July 2019 as detailed in Appendix 1.

3 Background

- 3.1 At the 1 March 2016 meeting of Council changes to procurement governance were agreed which gives Chief Officers the delegated authority to approve procurement contracts up to the value of £10m over the life of the contract. Where it is likely that the award of a contract will result in staff employed by the Council transferring to the successful contract under TUPE, the contract award decision has to be made by Cabinet.
- 3.2 In line with the Procurement Governance Arrangements that form part of the Council's Constitution, this report acts as the process to consult with and take soundings from Cabinet Members and the Resources Overview & Scrutiny Committee.
- 3.3 This report sets out the planned procurement activity over the next few months where the contract value is between the EU threshold (£181,302) and £10m. This will give members visibility of all procurement activity within these thresholds and the opportunity to identify whether any procurement reports should be brought to Cabinet for approval even though they are below the £10m delegation threshold.
- 3.4 It should be noted that the EU threshold has changed from £164,176 to £181,302 and will apply from 1st January 2019 for a period of 2 years.
- 3.5 Individual procurements may be referred to Cabinet for an executive decision at the request of Cabinet, a Cabinet Member or the Chair of Resources Overview & Scrutiny Committee where there are sensitivities or requirements that necessitate a decision being made by Cabinet.
- 3.6 Procurements below £10m contract value that are not listed on this or subsequent monthly reports can only be delegated to Chief Officers if specific approval is sought from Cabinet. Procurements above £10m contract value will still require an individual report to Cabinet in order for the award decision to be delegated to Chief Officers if appropriate.
- 3.7 A briefing note with details for each item to be procured is listed in Appendix 2. The financial information for each item is detailed in the Private Report.

4 Options considered and Recommended Proposal

- 4.1 The report approved by Council Business Management Committee on 16 February 2016 set out the case for introducing this process. The alternative option is that individual procurements are referred to Cabinet for decision.
- 4.2 To enable Cabinet to identify whether any reports for procurement activities should be brought to this meeting for specific executive decision, otherwise they will be

dealt with under Chief Officer delegations up to the value of £10m, unless TUPE applies to current Council staff.

5 Consultation

5.1 Internal

This report to Cabinet is copied to Cabinet Support Officers and to Resources Overview & Scrutiny Committee and is the process for consulting with relevant cabinet and scrutiny members. At the point of submitting this report Cabinet Members/ Resources Overview & Scrutiny Committee Chair have not indicated that any of the planned procurement activity needs to be brought back to Cabinet for executive decision.

5.2 External

None.

6 Risk Management

6.1 Details of Risk Management, Community Cohesion and Equality Act requirements will be set out in the individual reports

7 Compliance Issues:

7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

7.1.1 Details of how the contracts listed in Appendix 1 and Appendix 2 support relevant Council policies, plans or strategies, will be set out in the individual reports.

7.2 Legal Implications

7.2.1 Details of all relevant implications will be included in individual reports.

7.3 Financial Implications

7.3.1 Details of how decisions will be carried out within existing finances and resources will be set out in the individual reports.

7.4 Procurement Implications (if required)

7.4.1 This is a procurement report and the implications are detailed in the appendices

7.5 Human Resources Implications (if required)

7.5.1 None.

7.6 Public Sector Equality Duty

7.6.1 Details of Risk Management, Community Cohesion and Equality Act requirements will be set out in the individual reports.

8 Background Documents

8.1 List of Appendices accompanying this Report (if any):

- 1. Appendix 1 - Planned Procurement Activity May 2019 – July 2019
- 2. Appendix 2 – Background Briefing Paper

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APPENDIX 1 – PLANNED PROCUREMENT ACTIVITIES (MAY 2019 – JULY 2019)

Type of Report	Title of Procurement	Ref	Brief Description	Contract Duration	Directorate	Portfolio Finance and Resources Plus	Finance Officer	Contact Name	Planned CO Decision Date
Approval to Tender Strategy	Weed Spraying Service for Birmingham Parks & Nurseries (BPN)	P0556	The application of herbicides to shrub beds and other non-crop surfaces on all Council land in accordance with the current programme of grounds maintenance (GM) work. Weeds are sprayed 6 times per year, 3 times between May and July and 3 times between August and October.	4 years	Neighbourhoods	Clean Streets Homes and Neighbourhoods	Parmjit Phipps	Andrea Webster / Kevin Haynes	20/05/2019
Strategy / Award	Travel Management Services	P0461	The provision of a one stop online booking tool for all business travel requirements (rail, hotels, air travel etc) in line with the Council's travel and accommodation policy.	4 years	Finance and Governance	Deputy Leader	Tim Follis	Andrea Webster	03/04/2019
Approval to Tender Strategy	Provision of Security Services	P0463	The Council requires the security services for its premises where there is not in-house provision available for areas including offices, depots, homeless centres, libraries, public buildings, commercial sites, car parks and other sites such as schools; The services include: • Guarding (both static and mobile patrols) • Open & Lock Services • Key Holding • Alarm Response Services	4 years	Finance & Governance	Deputy Leader	Simon Ansell	Angela Marsh / Marie Kennedy	23/04/2019
Approval to Tender Strategy	Christmas Craft Market	TBC	The provision of a craft market in Centenary Square to commence 14th November until 22nd December to sell handmade products, food and drink produced locally.	5 years	Neighbourhoods	Deputy Leader	Parmjit Phipps	Garry Peal / Chanel Herbert	23/04/2019
Approval to Tender Strategy	Athletics Track and In-Field at Wyndley Leisure Centre	TBC	The purchase, installation and 5 year maintenance of an athletics tracks and in-fields to International Amateur Athletics Federation (IAAF) Category 1 standard to be situated at Wyndley Leisure Centre to be used as a training facility for the Commonwealth Games and to support a community asset is Sutton Coldfield.	5 years	Neighbourhoods	Deputy Leader	Guy Olivant / Parmjit Phipps	Charlie Short / Dave Wagg	23/04/2019

APPENDIX 2

BRIEFING NOTE ON PLANNED PROCUREMENT ACTIVITIES

CABINET – 26th March 2019

Title of Contract	Weed Spraying Service for Birmingham Parks & Nurseries (BPN) (Ref: P0556)
Briefly describe the service required	The application of herbicides to shrub beds and other non-crop surfaces on all Council land in accordance with the current programme of grounds maintenance (GM) work. Weeds are sprayed 6 times per year, 3 times between May and July and 3 times between August and October. The service is not currently suitable to be delivered in-house due the investment required for the equipment for the spraying equipment and storage of the chemicals.
Is the Council under a statutory duty to provide this service? If not what is the justification for providing it?	This is not a statutory duty to undertake this work. However, the activity is part of the programme of GM works agreed by the Council.
What are the existing arrangements? Is there an existing contract? If so when does that expire?	The weed spraying service is currently delivered under the GM contracts awarded to Glendale Ltd, Quadron Services Ltd and BPN that expire on 27 th March 2019. The weed spraying services will continue to be procured from external organisations whilst the wider Grounds Maintenance services are replaced by an in-house city-wide service. Short term contracts with new suppliers will be awarded for weed spraying across the city to cover the spraying season in 2019 approved under Chief Officer delegation.
What is the proposed procurement route?	A restricted procurement exercise will be undertaken advertised in OJEU, Contracts Finder and www.finditinbirmingham.com .
If single /multiple contractor negotiations is proposed, what is the reason for not tendering the requirement, how do we ensure value for money and compliance with the Birmingham Business Charter for Social Responsibility (BBC4SR)?	Not applicable.
Proposed start date and duration of the new contract	The proposed contract start date is 1 st April 2020 for a duration of 4 years.

Title of Contract	Travel Management Services (P0461)
Briefly describe the service required	The provision of a one stop online booking tool for all business travel requirements (rail, hotels, air travel etc) in line with the Council's travel and accommodation policy.
Is the Council under a statutory duty to provide this service? If not what is the justification for providing it?	No. However this will enable a compliant and efficient means to book travel and accommodation and a Track and Trace facility to give access to the whereabouts of individuals who have booked via the booking system. This will enable a duty of care to officers and members and satisfy the corporate responsibility.
What are the existing arrangements? Is there an existing contract? If so when does that expire?	The existing contract with Click Travel Ltd will expire on 3rd April 2019.
What is the proposed procurement route?	It is proposed that a direct award will be made in accordance with the protocol of the Yorkshire Purchasing Organisation's Travel Management Services framework agreement.
If single /multiple contractor negotiations is proposed, what is the reason for not tendering the requirement, how do we ensure value for money and compliance with the Birmingham Business Charter for Social Responsibility (BBC4SR)?	Not applicable.
Proposed start date and duration of the new contract	The proposed start date is 4 th April 2019 for a period of 4 years.

Title of Contract	Provision of Security Services
Briefly describe the service required	<p>The Council requires the security services for its premises where there is not in-house provision available for areas including offices, depots, homeless centres, libraries, public buildings, commercial sites, car parks and other sites such as schools. The services include:</p> <ul style="list-style-type: none"> • Guarding (both static and mobile patrols) • Open & Lock Services • Alarm Response Services • Concierge • CCTV Monitoring of premises (internal and perimeter) <p>Following a commissioning review, the recommended method of delivery to achieve the service outcomes is to continue the mixed model of in-house and external provision. The review identified that the model will deliver the required outcomes of safe, appropriate, flexible and efficient provision.</p> <p>This approach will allow flexibility of service provision dependent upon the prevailing requirements to ensure continuity of service during times of peak demand and efficient use of resources. As an example, the forthcoming CWG which will significantly disrupt the market in terms of supply and demand.</p>
Is the Council under a statutory duty to provide this service? If not what is the justification for providing it?	There is not a statutory duty to provide this service however, providing security will meet best practice for keeping people and physical assets safe and secure.
What are the existing arrangements? Is there an existing contract? If so when does that expire?	<p>There is currently a mix of in-house and external provision of security for the Council's portfolio of premises.</p> <p>There is not a formal contract in place for these services. These services have been engaged on a non-contract rolling basis under the existing terms and conditions.</p>
What is the proposed procurement route?	A tender process will be commenced advertised on www.finditinbirmingham.com , Contracts Finder, and the OJEU
If single /multiple contractor negotiations is proposed, what is the reason for not tendering the requirement, how do we ensure value for money and compliance with the Birmingham Business Charter for Social Responsibility (BBC4SR)?	Not Applicable.
Proposed start date and duration of the new contract	The proposed start date is 1 st October 2019 for a period of 4 years.

Title of Contract	Christmas Craft Market
Briefly describe the service required	<p>The provision of a craft market in Centenary Square to commence 14th November until 22nd December to sell handmade products, food and drink produced locally.</p> <p>An organisation will operate the market on behalf of the Council to provide the following to deliver a successful event including:</p> <ul style="list-style-type: none"> • Sourcing stallholders • Arrange, set up and break down event infrastructure including stalls, fencing etc • Marketing and promotion of the market • Provision of entertainment • Crowd control and security • Ensure compliance with all legislative requirements including health and safety and food safety • Ensure appropriate levels of insurance are in place
Is the Council under a statutory duty to provide this service? If not what is the justification for providing it?	There is not a statutory duty to provide this service. However, a Christmas craft market will complement the Frankfurt Market and the ice rink and wheel to enhance the visitor experience to the city.
What are the existing arrangements? Is there an existing contract? If so when does that expire?	This is a new contract as the craft market has not been held since Centenary Square has been re-developed.
What is the proposed procurement route?	To carry out a procurement process advertised on Contracts Finder and www.finditinbirmingham.com under the Concession Contract Regulations 2016.
If single /multiple contractor negotiation are proposed, what is the reason for not tendering the requirement, how do we ensure value for money and compliance with the Birmingham Business Charter for Social Responsibility (BBC4SR)?	Not applicable
Proposed start date and duration of the new contract	The proposed start date is 1 st August 2019 for duration of 5 years.

Title of Contract	Athletics Track and In-Field at Wyndley Leisure Centre
Briefly describe the service required	The purchase, installation and 5 year maintenance of a 400m outdoor permanent athletics track and in-field to International Amateur Athletics Federation (IAAF) Category 1 standard at Wyndley Leisure Centre. The current track does not meet this standard therefore a replacement is required.
Is the Council under a statutory duty to provide this service? If not what is the justification for providing it?	There is not a statutory duty for this requirement. However, the availability of an IAAF standard track and in-field will provide a training track for the Commonwealth Games and to support a community asset in Sutton Coldfield.
What are the existing arrangements? Is there an existing contract? If so when does that expire?	The existing track and in-field was installed as part of the construction contract for Wyndley Leisure Centre.
What is the proposed procurement route?	It is proposed to include these requirements in the procurement exercise for the two new tracks as part of the development of the Alexander Stadium approved by Cabinet on 22 nd January 2019. This will enable the Council to realise economies of scale from the increased value of the contract with the additional benefit of incorporating commercial sponsorship for the three tracks.
If single /multiple contractor negotiations is proposed, what is the reason for not tendering the requirement, how do we ensure value for money and compliance with the Birmingham Business Charter for Social Responsibility (BBC4SR)?	Not applicable
Proposed start date and duration of the new contract	1 st January 2020 with a maintenance contract for a period of 5 years.