

Birmingham City Council

Report to Cabinet

Date: 18th January 2022



Subject: **PLANNED PROCUREMENT ACTIVITIES (FEBRUARY 2022 – APRIL 2022)**
Report of: **ASSISTANT DIRECTOR – PROCUREMENT (INTERIM)**
Relevant Cabinet Member: **Councillor Tristan Chatfield, Finance and Resources**
Relevant O &S Chair(s): **Councillor Mohammed Aikhlaq, Resources**
Report author: Steve Sandercock, Assistant Director, Procurement (Interim)
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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:		
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 February 2022 – April 2022. Planned procurement activities reported previously are not repeated in this report.

- 1.2 The report enables 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.

2 Recommendations

- 2.1 Notes the planned procurement activities under chief officer delegations set out in the Constitution for the period February 2022 – April 2022 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 procurement threshold £177,897.50 (excluding VAT) and £10m (excluding VAT). 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 procurement threshold has changed from £189,330 to £177,897.50 (excluding VAT) and applies from 1st January 2022 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 Appendix 3 – Exempt Information.

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 options considered are:

- To refer the procurement strategy and contract award of individual procurements to Cabinet for decision.
- To continue with the existing process – this is the recommended option

5 Consultation / Engagement

5.1 This report to Cabinet is copied to Cabinet Support Officers and to Resources Overview & Scrutiny Committee and therefore 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.

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 February 2022 – April 2022
- 2. Appendix 2 – Background Briefing Paper
- 3. Appendix 3 – Exempt Information

APPENDIX 1 – PLANNED PROCUREMENT ACTIVITIES (FEBRUARY 2022 – APRIL 2022)

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
Strategy / Award	Valuations of the Council's Assets	TBC	There is a requirement for the Council to value its assets by a Royal Institute of Charter Surveyors (RICS) registered valuer primarily for a five-year rolling programme to enable the annual accounts to be completed and also other reasons including insurance purposes and viability of ownership. The assets to be valued are the land and buildings.	5 years	Planning, Transport and Sustainability	Leader	Carl Tomlinson	Allyson-Marke Wilson / Charlie Short	21/02/2022
Single Contractor Negotiations	Local Authority Asylum Seeker Liaison Project: Advice and Support for Asylum Seekers and Refugees	TBC	The provision of information and advice to new refugees who are required to exit Home Office accommodation in Birmingham following a positive asylum decision. The information and advice include: financial management, welfare & benefits, housing, education, English for Speakers of Other Languages (ESOL), employment, community safety and modern slavery.	1 year, 9 months	Adults and Social Care	Adults Social Care and Health	Andrew Healey	Bethany Finch / Marie Kennedy	01/03/2022
Approval to Tender Strategy	Resettlement & Integration Services for Refugees	TBC	Resettlement and integration support services for refugees who are living in Birmingham as part of the Home Office Resettlement Schemes and who have been in the UK for at least one year already. The services include welfare and tenancy support, mental health awareness, employability services and Birmingham navigators.	3 years with break clause after year 2	Adults and Social Care	Adults Social Care and Health	Andrew Healey	Bethany Finch / Marie Kennedy	01/03/2022
Strategy / Award	Bristol Road Enhancement Scheme Works	TBC	There is a requirement for delivery of civil engineering works for the Bristol Road Enhancement Scheme. Work involves: <ul style="list-style-type: none"> Downgrading the Bristol Road local centre from 4 lanes to 2 lanes. New carriageway markings and signs Implementing a bi-directional cycle lane along the Bristol Road Selly Oak local centre from Chapel Lane junction to Grange Road. Other public realm improvement works such flush surfacing entry treatments at side roads Footway buildouts to regulate on-street parking bays 	6 months	Planning, Transport and Sustainability	Transport and Environment	Carl Tomlinson	Faisal Ishaq / Charlie Short	01/03/2022
Strategy / Award	Provision of IT Consultancy support in respect of Delivery of the Customer Services Programme and Digital Strategy	TBC	Provision of ongoing delivery support from a multidisciplinary team as part of digital delivery of the Customer Services Programme.	1 year with option to extend for a further 12 months	Digital and Customer Services	Deputy Leader	Lee Bickerton	James Gregory / Jamie Parris	07/02/2022
Approval to Tender Strategy	Webcasting Council Meetings	TBC	The provision of Webcasting Infrastructure and Services in the Council House. This includes web streaming and webcasting council member meetings at the Council house, including the refresh of existing Audio Visual (AV) hardware systems and infrastructure.	3 years with option to extend for a 2 further 12 months	Digital and Customer Services	Deputy Leader	Lee Bickerton	Sharon I Richards / Barry Greenwood	21/02/2021
Approval to Tender Strategy	Specialist Adult Social Care Training	TBC	There is a requirement for training for the Council's adults social care workforce, which includes all staff within Directorate e.g., Commissioning, Client Financial Services and internal provider support services, to support their learning and development needs.	4 years	Adults and Social Care	Adults Social Care and Health	Andrew Healey	Patricia Daley / Marie Kennedy	21/02/2021

APPENDIX 2

BRIEFING NOTE ON PLANNED PROCUREMENT ACTIVITIES **CABINET – 18TH JANUARY 2022**

Title of Contract	Valuations of the Council's Assets
Contact Officers	Director / Assistant Director: Kathryn James - Assistant Director, Property Client Officer: Allyson-Marke Wilson / Azmat Mir Procurement Officer: Charlie Short, Procurement Manager
Briefly describe the service required	There is a requirement for the Council to value its assets by a Royal Institute of Charter Surveyors (RICS) registered valuer primarily for a five-year rolling programme to enable the annual accounts to be completed and also other reasons including insurance purposes and viability of ownership. The assets to be valued are the land and buildings. Valuations should be in accordance with the CIPFA Code and the relevant guidance issued by the RICS.
What is the proposed procurement route?	A further competition exercise will be undertaken using the Crown Commercial Service Estate Management Services Framework Agreement.
What are the existing arrangements? Is there an existing contract? If so when does that expire?	The current contract awarded under Chief Officer delegated authority expires in December 2022. This period enables any final account external audit enquiries to be finalised.
If single /multiple contractor negotiations 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.
Has the In-House Preferred Test been carried out?	Yes, and this demonstrated there is not the capacity within the Council to undertake this service.
How will this service assist with the Council's commitments to Route to Zero?	The specification will require the successful tenderer to minimise their travel to deliver the service.
Is the Council under a statutory duty to provide this service? If not what is the justification for providing it?	There is a not a statutory duty for this service to be delivered. However, the valuation service supports the production of the Council's final accounts.
What budget is the funding from for this service?	The service is funded from the Acquisitions and Valuations Business Centre (RDFVA L680 A00) budget.
Proposed start date and duration of the new contract	The proposed start date is 1 st April 2022 for a period of 5 years.

Title of Contract	Local Authority Asylum Seeker Liaison Project: Advice and Support for Asylum Seekers and Refugees
Contact Officers	Director / Assistant Director: Graeme Betts, Director Adults Social Care Client Officer: Bethany Finch Procurement Officer: Marie Kennedy
Briefly describe the service required	The provision of information and advice to new refugees who are required to exit Home Office accommodation in Birmingham following a positive asylum decision. The information and advice include financial management, welfare & benefits, housing, education, English for Speakers of Other Languages (ESOL), employment, community safety and modern slavery.
What is the proposed procurement route?	To enter into single contractor negotiations with Refugee & Migrant Centre Black Country & Birmingham.
What are the existing arrangements? Is there an existing contract? If so when does that expire?	The service is currently being provided through a partnership agreement with the Refugee & Migrant Centre in an EU funded project "Foundation for Integration" that expires on 31 st July 2022.
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 service. However, the service supports preventing crisis and destitution at the point at which the Home Office makes a positive grant of refugee status for an asylum seeker living in Birmingham and that individual then has 28 days only to leave their Home Office accommodation in the city and to establish a means of income.
If single /multiple contractor negotiations 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)?	As a result of a market investigation there is only one contractor that can meet the Council's requirement for this service. The reason is that the Refugee & Migrant Centre Black Country & Birmingham is the only provider in the city who can deliver the full scope of the service required due to the range of multiple languages required. Value for money will be achieved by ensuring that negotiations are in line with the per capita tariff value of previous arrangements. Deviation from this is limited within the scope of the available budget. The value will be below the threshold of £200,000 for the BBC4SR to apply however, the requirement to pay the Real Living Wage will apply.
What budget is the funding from for this service?	This will be funded from external funding – Home Office grant received for refugee resettlement.
Has the In-House Preferred Test been carried out?	Yes, and this demonstrated there is not the ability within the Council to undertake this service.
How will this service assist with the Council's commitments to Route to Zero?	The specification will require Refugee & Migrant Centre Black Country & Birmingham to minimise their travel to deliver the service.
Proposed start date and duration of the new contract	The proposed start date is 1st August 2022 for a duration of 21 months.

Title of Contract	Resettlement & Integration Services for Refugees
Contact Officers	Director / Assistant Director: Graeme Betts, Director Adults Social Care Client Officer: Bethany Finch Procurement Officer: Marie Kennedy
Briefly describe the service required	Resettlement and integration support services for refugees who are living in Birmingham as part of the Home Office Resettlement Schemes and who have been in the UK for at least one year already. The services include welfare and tenancy support, mental health awareness, employability services and Birmingham navigators.
What is the proposed procurement route?	An open procurement exercise will be undertaken advertised on In-tend, Find a Tender Service, Contracts Finder and www.finditinbirmingham.com .
What are the existing arrangements? Is there an existing contract? If so when does that expire?	There are currently four contracts in place to deliver each of the services described above awarded under Chief Officer delegated authority. Two are due to end on 31 st June; one is due to end on 10 th May 2022 and the fourth is due to end on 31 st January 2023.
If single /multiple contractor negotiations 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.
Has the In-House Preferred Test been carried out?	Yes, and this demonstrated there is not the ability within the Council to undertake this service.
How will this service assist with the Council's commitments to Route to Zero?	The specification will require the successful tenderer to minimise their travel to deliver the service.
Is the Council under a statutory duty to provide this service? If not what is the justification for providing it?	There is no statutory duty to provide this service. However, there is a duty of care to provide these services to the citizens until 2026.
What budget is the funding from for this service?	This is funded by the Home Office Grant.
Proposed start date and duration of the new contract	The proposed start date is 11 th May 2022 for a duration of 3 years with a break clause after year 2 subject to satisfactory performance and budget availability. The requirement will be tendered by lot with each service area being called off after the expiry of the existing contract.

Title of Contract	Bristol Road Enhancement Scheme Works
Contact Officers	Director / Assistant Director: Philip Edwards, Assistant Director, Transport and Connectivity Client Officer: Faisal Ishaq Procurement Officer: Charlie Short
Briefly describe the service required	<p>There is a requirement for delivery of civil engineering works for the Bristol Road Enhancement Scheme. Work involves:</p> <ul style="list-style-type: none"> • Downgrading the Bristol Road local centre from 4 lanes to 2 lanes. New carriageway markings and signs • Implementing a bi-directional cycle lane along the Bristol Road Selly Oak local centre from Chapel Lane junction to Grange Road. • Other public realm improvement works such flush surfacing entry treatments at side roads • Footway buildouts to regulate on-street parking bays. <p>A contract will not be entered into until approval of the Full Business Case, planned in April 2022.</p>
What is the proposed procurement route?	A procurement exercise below the works procurement threshold will be undertaken advertised on www.finditinbirmingham.com and Contracts Finder.
What are the existing arrangements? Is there an existing contract? If so when does that expire?	This is a new requirement.
If single /multiple contractor negotiations 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.
Has the In-House Preferred Test been carried out?	Yes, and the test demonstrated this is not suitable to be carried out in-house as there is not the ability to undertake works.
How will this service assist with the Council's commitments to Route to Zero?	The service supports the Birmingham Transport Plan's policies such as reallocating road space and prioritising active travel in local neighbourhood.
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 service. However, the works will improve active travel choices by creating a cycle link between the Birmingham Cycle Revolution (BCR) A38 blue cycle route with the recently upgraded Chapel Lane junction.
What budget is the funding from for this service?	This is a named project within the Transport and Highways Capital Programme approved by Cabinet on 9 February 2021. Entering into contract will be subject to gaining the necessary approvals on funding.
Proposed start date and duration of the new contract	The proposed start date is 1 st September 2022 for a duration of up to 6 months.

Title of Contract	Provision of IT Consultancy support in respect of Delivery of the Customer Services Programme and Digital Strategy
Contact Officers	Director / Assistant Director: Peter Bishop, Director of Digital and Customer Services Client Officer: James Gregory Procurement Officer: Jamie Parris
Briefly describe the service required	Provision of ongoing delivery support from a multidisciplinary team as part of digital delivery of the Customer Services Programme. The 3 rd party Consultant will provide upskilling, knowledge transfer, professional development and delivery support to the Customer Services and Digital Strategy Programmes..
What is the proposed procurement route?	The proposed procurement route is to carry out a direct award to Methods Business and Digital Technology Ltd using the Crown Commercial Services Framework Agreement. There is an urgent need for delivery of transformation programmes by utilising an incumbent trusted provider who have been central to the production of the Digital Strategy, have built strong relationships with the IT&D teams and are also working across other associated programmes (Insights, Front Door, Digital Strategy, West Midlands Placement Portal).
What are the existing arrangements? Is there an existing contract? If so when does that expire?	This is a new requirement.
If single /multiple contractor negotiations 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)?	No applicable.
Has the In-House Preferred Test been carried out?	Yes. The supplier will be used to augment BCC internal resource capability and capacity; and will continue to affect a skills transfer that has already started. Existing internal capacity and capability is not yet mature enough to achieve the set objectives alone.
How will this service assist with the Council's commitments to Route to Zero?	Not applicable – IT Consultancy Services.
Is the Council under a statutory duty to provide this service? If not, what is the justification for providing it?	There is no statutory duty nor legal duty to provide this Consultancy Service.
What budget is the funding from for this service?	Customer Programme and IT&D capital allocation.
Proposed start date and duration of the new contract	The proposed start date will be from February 2022 at the latest for a maximum duration of 12 months with the option to extend for a further 12-month period.

Title of Contract	Webcasting Council Meetings
Contact Officers	Director / Assistant Director: Peter Bishop/Rob Connelly (AD Governance) Client Officer: Sharon Richards Procurement Officer: Barry Greenwood
Briefly describe the service required	The provision of Webcasting Infrastructure and Services in the Council House. This includes web streaming and webcasting Council meetings at the Council House, including the refresh of existing Audio Visual (AV) hardware systems and infrastructure.
What is the proposed procurement route?	To undertake an open procurement process advertised on Find a Tender, Contracts Finder and www.finditbirmingham.com .
What are the existing arrangements? Is there an existing contract? If so when does that expire?	The previous contract with Civico expired in June 2021. This was not renewed as the Council House was no longer in use due to the refurbishment. The infrastructure that is owned by the Council is now very old and no longer supported.
If single /multiple contractor negotiations 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.
Has the In-House Preferred Test been carried out?	N/A, as this is the replacement of a hardware required to provide webcasting services in the Council House. Cannot be provided in house. Voyager search undertaken. Specialist technology is required for this solution and there is no contract currently in place with a supplier which could be utilised.
How will this service assist with the Council's commitments to Route to Zero?	Implementing technology to support hybrid meetings and streaming of meetings for City Council, Cabinet and committees contributes to reducing the number of journey's required relating to those meetings (reduction in traffic).
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, the service is required because formal meetings have been webcast in Birmingham since 2012 and has become the norm during the pandemic. Members are expecting a full webcasting service on return to the Council House in May 2022.
What budget is the funding from for this service?	This is funded by ITDS capital monies.
Proposed start date and duration of the new contract	The proposed start date is 1 st May 2022 for a period of 3 years with the option to extend for further 2 x 12-month periods.

Title of Contract	Specialist Adult Social Care Training
Contact Officers	Director / Assistant Director: Graeme Betts. Director Adult Social Care Client Officer: Patricia M Daley Procurement Officer: Marie Kennedy
Director / Assistant Director	Graeme Betts. Director Adult Social Care
Briefly describe the service required	<p>There is a requirement for training for the Council's adults social care workforce, which includes all staff within the Directorate e.g., Commissioning, Client Financial Services and internal provider support services, to support their learning and development needs. The learning and development services also provides workforce development opportunities for the wider private, voluntary and independent sector organisations, plus, direct payment recipients and Personal Assistants. The Service also has responsibility for providing support to non-commissioned services and self-funders in certain instances. The training is commissioned according to the lots stated below e.g., learning and development for:</p> <ul style="list-style-type: none"> • constituency teams • mental health • social care and health • leadership and management • safeguarding
What is the proposed procurement route?	The contract will be advertised in Find a Tender, Contracts Finder and www.finditinbirmingham.com . and a tender process will be commenced using the open procurement route.
What are the existing arrangements? Is there an existing contract? If so when does that expire?	The existing contract is due to expire on 31 st March 2022 which was approved under Chief Officer delegation.
If single /multiple contractor negotiations 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.
Has the In-House Preferred Test been carried out?	The existing model is a mix of in-house and a supplementary framework. It would be inefficient to deliver the whole service in -house due to the fluctuation in demand and some specialisms.
How will this service assist with the Council's commitments to Route to Zero?	Evidence will be sought as part of the Procurement Process to indicate the relevant areas that can be applied, e.g. R20 Action Plan Chapter 15 -Supply Chain.
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, the Council has a legal responsibility to ensure that statutory training is provided to the adults social care workforce including the wider workforce.
What budget is the funding from for this service?	This will be funded from the Learning and Development budget.
Proposed start date and duration of the new contract	The proposed start date is 1 st April 2022 for a duration of 4 years.