

# BIRMINGHAM CITY COUNCIL

## PUBLIC REPORT

**Report to:** CABINET  
**Report of:** DIRECTOR OF COMMISSIONING & PROCUREMENT  
**Date of Decision:** 3 OCTOBER 2017  
**SUBJECT:** PLANNED PROCUREMENT ACTIVITIES (NOVEMBER 2017 – JANUARY 2018)  
**Key Decision:** No  
**If not in the Forward Plan:** Relevant Forward Plan Ref: n/a  
(please "tick" box) Chief Executive approved ☐  
O&S Chair approved ☐  
**Relevant Cabinet Member(s) or** Cllr Majid Mahmood – Value for Money and Efficiency  
**Relevant Executive Member**  
**Relevant O&S Chair:** Cllr Mohammed Aikhlaq, Corporate Resources and Governance  
**Wards affected:** All

### 1. Purpose of report:

- 1.1 This report provides details of the planned procurement activity for the period November 2017 – January 2018. Planned procurement activities reported previously are not repeated in this report.

### 2. Decision(s) recommended:

That Cabinet

- 2.1 Notes the planned procurement activities under officer delegations set out in the Constitution for the period November 2017 – January 2018 as detailed in Appendix 1.

### Lead Contact Officer (s):

Nigel Kletz  
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### **3. Consultation**

#### **3.1 Internal**

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

#### **3.2 External**

None

### **4. Compliance Issues:**

#### **4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies**

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

#### **4.1.2 Birmingham Business Charter for Social Responsibility (BBC4SR)**

Compliance with the BBC4SR is a mandatory requirement that will form part of the conditions of the contracts. Tenderers will submit an action plan with their tender that will be evaluated in accordance with the agreed evaluation criteria and the action plan of the successful tenderers will be implemented and monitored during the contract period. Payment of the Living Wage, as set by the Living Wage Foundation, is a mandatory requirement of the BBC4SR and will apply for all contracts in accordance with the Council's policy for suppliers to implement the rate.

#### **4.2 Financial Implications**

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

#### **4.3 Legal Implications**

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

#### **4.4 Public Sector Equality Duty**

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

## **5. Relevant background/chronology of key events:**

- 5.1 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 contractor under TUPE, the contract award decision has to be made by Cabinet.
- 5.2 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 Corporate Resources and Governance Overview & Scrutiny Committee.
- 5.3 This report sets out the planned procurement activity over the next few months where the contract value is between the EU threshold (£164,176) 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 delegation threshold.
- 5.4 Individual procurements may be referred to Cabinet for an executive decision at the request of Cabinet, a Cabinet Member or the Chair of Corporate Resources and Governance Overview & Scrutiny Committee where there are sensitivities or requirements that necessitate a decision being made by Cabinet.
- 5.5 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.
- 5.6 A briefing note including financial information is appended to the Private report for each item on the schedule.

## **6. Evaluation of alternative option(s):**

- 6.1 A 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.

## **7. Reasons for Decision(s):**

- 7.1 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.

**Signatures:**

**Date:**

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Nigel Kletz – Director of Commissioning & Procurement

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Councillor Majid Mahmood - Value for Money and Efficiency

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**List of Background Documents used to compile this Report:**

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

Appendix 1 - Planned Procurement Activity November 2017 – January 2018

**Report Version**    1                    **Dated**    18/09/2017

**APPENDIX 1 – PLANNED PROCUREMENT ACTIVITIES (NOVEMBER 2017 – JANUARY 2018)**

Type of Report	Title of Procurement	Ref	Brief Description	Contract Duration	Directorate	Portfolio Value for Money and Efficiency Plus	Finance Officer	Contact Name	Planned CO Decision Date
Approval To Tender Strategy	Provision of a Marketing Service	P0409	The following marketing services are required to support the Council's Communications Team: <ul style="list-style-type: none"> <li>• To work closely with the internal function to gather information, identify and employ a broad range of advertising strategies.</li> <li>• To assist with the creation of marketing campaigns tailored to the needs of the various areas of the Council.</li> <li>• Showcasing the Council in a positive light, drawing in a targeted audience.</li> </ul>	4 years	Strategic Services	Deputy Leader	Thomas Myers	Marie Hadley	01/11/2017
Approval To Tender Strategy	Recruitment of permanent staff for the City council's proposed energy company	TBC	In the event that Cabinet approve the FBC on the 24 October, a full market launch (to the domestic and non-domestic market) is proposed for between April and September 2018. In order for the company to be live from April 2018 it needs to recruit suitably skilled permanent staff to establish the requirements for market	Up to 4 months	Strategic Services	Deputy Leader	Simon Ansell	Veronica Nash / Charlie Short	12/10/2017