

Public Report

Birmingham City Council

Report to Cabinet

Date: 11th December 2018



Subject: **PLANNED PROCUREMENT ACTIVITIES (FEBRUARY 2019 – APRIL 2019)**
Report of: **DIRECTOR OF COMMISSIONING & PROCUREMENT**
Relevant Cabinet Member: **Councillor Brett O'Reilly, Finance and Resources**
Relevant O &S Chair(s): **Councillor Sir Albert Bore, Resources**
Report author: Richard Tibbatts, Head of Contract Management
Telephone No: 0121 303 6610
Email Address: richard.tibbatts@birmingham.gov.uk

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 type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential :		

1 Executive Summary

- 1.1 This report provides details of the planned procurement activity for the period February 2019 – April 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 February 2019 – April 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 2018 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 January 2019 – March 2019
- 2. Appendix 2 – Background Briefing Paper

APPENDIX 1 – PLANNED PROCUREMENT ACTIVITIES (FEBRUARY 2019 – APRIL 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	Refurbishment Works to Highbury	TBC	Highbury has recently been designated by Historic England as a building "at risk" As a consequence there is a requirement for essential remedial repair works to be undertaken. A conservation architect has been appointed to assist Acivico and the client to prioritise a scope of works and prepare the design information. A detailed survey of the work required has been completed to include: <ul style="list-style-type: none">• North wing roof repair – including roof covering, structural timbers and flashings• Removal of asbestos from the cellar area• Renew hot water system and boilers	3 months	Economy	Leader	Simon Ansell	Terry Perkins / Nigel Oliver	22/01/2019

Title of Contract	Refurbishment Works to Highbury
Briefly describe the service required	<p>Highbury has recently been designated by Historic England as a building "at risk" As a consequence there is a requirement for essential remedial repair works to be undertaken. A conservation architect has been appointed to assist Acivico and the client to prioritise a scope of works and prepare the design information. A detailed survey of the work required has been completed to include:</p> <ul style="list-style-type: none"> • North wing roof repair – including roof covering, structural timbers and flashings • Removal of asbestos from the cellar area • Renew hot water system and boilers • Hall roof repairs, roof lighting and decoration <p>Due to the listed building status of Highbury the Council now require the services of a qualified and experienced conservation contractor to deliver the works.</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 the work will assist the Chamberlain and Highbury Trust in their Heritage Lottery Fund funding application.
What are the existing arrangements? Is there an existing contract? If so when does that expire?	This is a one-off requirement.
What is the proposed procurement route?	The value of the works is below the Works OJEU threshold and a single stage open procurement process will be undertaken.
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
Proposed start date and duration of the new contract	The proposed start date is February 2019 for duration of 3 months.