

# BIRMINGHAM CITY COUNCIL

## PUBLIC REPORT

<b>Report to:</b>	<b>CABINET</b>
<b>Report of:</b>	<b>DIRECTOR OF COMMISSIONING &amp; PROCUREMENT</b>
<b>Date of Decision:</b>	<b>18 SEPTEMBER 2018</b>
<b>SUBJECT:</b>	<b>PLANNED PROCUREMENT ACTIVITIES (NOVEMBER 2018 – JANUARY 2019)</b>
<b>Key Decision:</b>	<b>No</b>
<b>Relevant Forward Plan Ref:</b>	<b>n/a</b>
<b>If not in the Forward Plan:</b>	<b>Chief Executive approved <input type="checkbox"/></b>
<b>(please "tick" box)</b>	<b>O&amp;S Chair approved <input type="checkbox"/></b>
<b>Relevant Cabinet Member(s) or</b>	<b>Cllr Brett O'Reilly, Finance and Resources</b>
<b>Relevant Executive Member</b>	
<b>Relevant O&amp;S Chair:</b>	<b>Cllr Sir Albert Bore, Resources</b>
<b>Wards affected:</b>	<b>All</b>

### 1. Purpose of report:

- 1.1 This report provides details of the planned procurement activity for the period November 2018 – January 2019. 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 2018 – January 2019 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 (£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.
- 5.4 It should be noted that the EU threshold has changed from £164,176 to £181,302 and will apply from 1<sup>st</sup> January 2018 for a period of 2 years.
- 5.5 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.
- 5.6 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.
- 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 Brett O'Reilly – Finance and Resources

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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 2018 – January 2019

**Report Version**    1            **Dated**    06/09/2018

**APPENDIX 1 – PLANNED PROCUREMENT ACTIVITIES (NOVEMBER 2018 – JANUARY 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	Young People's Substance Misuse Treatment Service	TBC	The purpose of the service is to reduce the harm of substance misuse. The service will provide targeted structured treatment to high risk young people. The service works closely with the Children's Trust, Forward Thinking Birmingham and the third sector.	2 years plus further two 12 months extensions	Adults Social Care and Health	Health and Social Care	Russell Gatfield	John Freeman / Gina Dimarco	15/10/2018
Approval to Tender Strategy	Employer's Agent Services	P0476	An Employer's Agent is required to deliver full project management services to deliver 900 housing units across multiple sites.	6 years	Economy	Homes and Neighbourhoods	Guy Olivant	Debbie Husler	15/10/2018
Approval to Tender Strategy	Landscape Construction Framework Agreement	TBC	The provision of minor landscape construction works. The type of works include construction of new paths and resurfacing of existing paths; planting trees, hedges and shrubs; construction of play areas and multi-use games areas; installation of drainage, street furniture, signage and fencing.	4 years	Place	Deputy Leader	Fazal Khan	Robert Churn / Marie Hadley	15/10/2018
Strategy / Award	Financial Viability Assessments	TBC	Provision of Independent Assessment of Financial Viability Appraisals Submitted in Support of Planning Applications and Appeals.	3 years	Economy	Deputy Leader	Simon Ansell	Dave Arnold / Darren Langley	15/10/2018
Approval to Tender Strategy	Healthwatch Birmingham	TBC	Local Healthwatch organisations must be capable of delivering the following range of functions:- <ul style="list-style-type: none"> <li>Representing the views of the full range of residents on issues relating to health and social care</li> <li>Effectively lobbying both the NHS and the Local Authority for improvements of services</li> <li>Developing an effective capacity to enter and view NHS and Local Authority premises</li> <li>Provide information and signposting about the range of services in an area to all residents</li> <li>Effectively contribute to the work of the Health and Wellbeing Board</li> </ul>	3 years with the option to extend for a further 2 years	Adults Social Care and Health	Health and Social Care	Shabir Ladak	Sarah Feeley / Gina Dimarco	15/10/2018
Approval To Tender (SCN)	School Health Advisory Service	TBC	The School Health Advisory Service supports schools to meet their legal responsibility to students with ill health and/or medical needs. The service connects schools and healthcare services to help schools deliver the specific health needs of individual children in line with their Children in Need or Child Protection Plans.	2 years, 5 months	Children's Services	Children's Wellbeing	Peter Woodall	Sarah Feeley / Gina Dimarco	15/10/2018