

Birmingham City Council

Report to Cabinet

Date: 5th September 2023



Subject: NON-KEY DECISION PLANNED PROCUREMENT ACTIVITIES (OCTOBER 2023 – DECEMBER 2023) AND QUARTERLY CONTRACT AWARDS (APRIL 2023 – JUNE 2023)

Report of: ASSISTANT DIRECTOR – PROCUREMENT

Relevant Cabinet Member: Councillor Brigid Jones, Cabinet Member for Finance and Resources

Relevant O &S Chair(s): Councillor Jack Deakin, Chair of Finance and Resources OSC

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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 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 October 2023 – December 2023 which are not key decisions and all contract award decisions made under Chief Officer's delegation during the previous quarter. 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 £500,000, unless TUPE applies to current Council staff.

1.3 Appendix 3 informs Cabinet of the contract award decisions made under Chief Officers delegation during the period April 2023 – June 2023.

2 Recommendations

2.1 To approve the planned procurement activities as set out in Appendix 1 and 2 and approve Chief Officer delegations, set out in the Constitution for the subsequent decisions around procurement strategy.

2.2 Notes the contract award decisions made under Chief Officers delegation during the period April 2023 – June 2023 as detailed in Appendix 3.

3 Background

3.1 The report approved by Council Business Management Committee on 16 February 2016 set out the case for introducing this process.

3.2 At the 12th July 2022 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 £500,000 for non-key decisions 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.

3.3 In line with the Procurement and Contract Governance Rules 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.

3.4 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 £500,000 (excluding VAT) for non-key decisions. 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.

3.5 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.

3.6 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.

- 3.7 Procurements below £500,000 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.

4 Options considered and Recommended Proposal

- 4.1 The options considered are:

- To note the planned procurement activities for all the projects listed in Appendix 1 and the Chief Officer delegations as set out in the Constitution, for the subsequent decisions around procurement strategy and contract awards.– this is the recommended option.

5 Consultation / Engagement

- 5.1 This report to Cabinet is copied to Cabinet Members, 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.
- 5.2 Approval has been sought from the relevant Spend Control Board prior to inclusion on the PPAR.

6 Risk Management

- 6.1 Members should note that in respect of any procurement projects which are sought to be referred back to Cabinet for further considerations these may impact on timescales around the delivery of those projects.
- 6.2 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 support relevant Council policies, plans or strategies, will be set out in the individual reports.

7.2 Legal Implications

- 7.2.1 Members are reminded that as a Local Authority the Council has specific duties under public sector procurement, specifically the Public Contract Regulations 2015.

- 7.2.2 Specific details of any implications related to public sector procurement Regulations are set out- in the individual reports appended to this report.

7.3 Financial Implications

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

- 7.3.2 Any cashable savings generated as a result of the procurement exercises are detailed in Appendix 2 to the delivery of procurement related savings and be removed from Directorate where identified in addition to the existing service area savings target as set out in the Medium-Term Financial Plan (MTFP) in line with the principles to treatment of identified savings against third party contracts as agreed by CLT on 24th January 2022.

7.4 Procurement Implications (if required)

- 7.4.1 As noted under the Legal Implications the Council has a duty to ensure that public sector procurement activity is in line with public sector legislation, specifically the Public Contracts Regulations 2015.

- 7.4.2 For each of the individual projects the specific procurement implications associated to the legislation are set out and 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 which should also give consideration to application of Equality Impact Assessments in line with Council Policy

8 Background Documents

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

- 1. Appendix 1 - Planned Procurement Activity (October 2023 – December 2023)
- 2. Appendix 2 – Background Briefing Paper
- 3. Appendix 3 – Quarterly Awards Schedule (April 2023 – June 2023)

APPENDIX 1 – PLANNED PROCUREMENT ACTIVITIES (OCTOBER 2023 – DECEMBER 2023)

There are no items for this month.

APPENDIX 2

BRIEFING NOTE ON PLANNED PROCUREMENT ACTIVITIES **CABINET – 5th September 2023**

There are no non-key decision items for this month

APPENDIX 3 - QUARTERLY CONTRACT AWARD SCHEDULE (APRIL 2023 – JUNE 2023)

Type of Repi	Title of Procurement	Ref	Brief Description	Contract Durat	Directorate	Portfolio Finance and Resources	Finance Officer	Contact Name	Comments - including any request from Cabinet Members for more details	Contractor(s) Awarded to	Value of Contracts - Excluding Extensions	Value of Opti - to Extend	Chief Office	Actual Gc Live date
Delegated Extension Award	Putting prevention first: Commissioning and Procurement Strategies for Information Advice and Guidance (IAG) Contracts		These services support: • Improved health and prevention outcomes for citizens. • Improved experience of support for vulnerable and older adults including family members/carers through active engagement in their own care support needs. • Better and earlier identification of care needs via engagement with non-statutory organisations. • Cost avoidance due to reduction in the need for high end cost provision by ASC.	9 months	Adult Social Care	Health and Social Care	Samantha Bloomfield	Emil Prysak	Cabinet approved the report for Putting Prevention First: Investing in Communities in May 2019 and delegated the extension to CO. Delegated Extension Award Report approved 13/04/2023.	1) Focus Birmingham 2) BID Services 3) Disability Resource Centre	£112,367 £111,862 £106,496 Total contract value £330,525		Graeme Betts	17/04/2023
Delegated Award Report	Smoking Cessation Digital App	P1120	The requirement: •A peer support network for smokers wanting to quit •pharmacological & behavioural support •face-to-face consultations through Video Calling •24/7 remote brief intervention resource that Pharmacies, GP Practices, Maternity Services can use alongside the core smoking cessation service	2 years with an option to extend for a further 2 years.	Public Health	Health and Social Care	Lee Bickerton	Juliet Grainger/ Sandra Asiedu	Presented to Cabinet for info 27/07/2022. Approval to tender strategy signed 05/12/2022 and delegated the award to CO. Delegated Award Report signed 13/04/2023.	Solutions 4 Health UK	£115,000	£115,000	Justin Varney	01/06/2023
Strategy Award Report	Provision of Centrex and Traditional Telephony Line services		Provision of Centrex and Traditional telephony line services under the Crown Commercial Services Framework Agreement for Network Services (RM3808) Lot 3 Traditional Telephony Services.	1 year	Digital and Customer Services	Digital, Culture, Heritage and Tourism	Lee Bickerton	Jamie Parris	Presented to Cabinet for info 17/01/2023. Strategy / Award Report signed 25/04/2023.	Virgin Media Business Limited	£235,000		Cheryl Doran	01/05/2023
Strategy / Award	UI Path Delivery Partner		Robotic Process Automation (RPA) enables a business process to be configured and scripted to emulate human actions (such as keystrokes/ extraction of data etc) to drive efficiency in the business and allow staff to focus on more value-adding activities.	4 years	Digital and Customer Services	Digital, Culture, Heritage and Tourism	Lee Bickerton	Gary Hurdman/ Jamie Parris	Presented to Cabinet for info 14/02/2023. Strategy / Award Report signed 25/04/2023.	Virgin Media Business Limited	£235,000		Cheryl Doran	01/05/2023
Strategy / Award	Consultancy to support the implementation & programme management of new corporate landord service model		Following discussions with CLT in January 2023, a review of the existing Corporate Landord approach was completed in March 2023. From this a revised approach and Delivery Plan was developed. External expertise and capacity are now required to lead on the initial implementation of the new model to provide overall programme management services and implementation / subject matter expertise support for the Corporate Landord programme which will create a single corporate custodian of all Birmingham City Council's operational property assets, transitioning the portfolio into a shared strategic resource which is fully aligned to, and supportive of, the Council's overarching objectives. The Corporate Landord model will play a key role as an enabler to the wider place-based approach and will support other key priority programmes such as Early Intervention and Prevention.	6 months with option to extend for up to 6 months	Place, Prosperity and Sustainability	Leader	Azhar Rafiq	David Coulson/ Andrea Webster	Presented to Cabinet for info 16/05/2023. Strategy / Award Report signed 28/06/2023.	Ernst & Young LLP	£487,500		Paul Kitson	30/06/2023
Strategy / Award	Infrastructure Works - Lozells Places for People		Infrastructure Works for Active Travel Fund Tranche 2 (ATF2) Package 2 – Lozells Places for People following a further competition exercise using the Black Country Framework Contract for Minor Works 2021 – 2024 to Parade Civil Engineering Ltd in accordance with its protocol.	4 months	Place, Prosperity and Sustainability	Leader	Azhar Rafiq	Alex Cumyn/ Charlie Short	Active Travel Fund Tranche 2 named project within the Transportation and Highways Capital Programme 2023/24 to 2028/29 – Annual Programme Update report approved at Cabinet on 21/03/2023. Strategy / Award Report signed 09/06/2023.	Parade Civil Engineering Limited	£257,848		Paul Kitson	12/06/2023