

BIRMINGHAM CITY COUNCIL

PUBLIC REPORT

Report to: CABINET
Report of: DIRECTOR OF COMMISSIONING & PROCUREMENT
Date of Decision: 26 JUNE 2018
SUBJECT: PLANNED PROCUREMENT ACTIVITIES (AUGUST 2018 – OCTOBER 2018)
Key Decision: No
Relevant Forward Plan Ref: n/a
If not in the Forward Plan: Chief Executive approved
(please "tick" box) O&S Chair approved
Relevant Cabinet Member(s) or Cllr Brett O'Reilly, Finance and Resources
Relevant Executive Member
Relevant O&S Chair: Cllr Sir Albert Bore, Resources
Wards affected: All

1. Purpose of report:

- 1.1 This report provides details of the planned procurement activity for the period August 2018 – October 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 August 2018 – October 2018 as detailed in Appendix 1.

Lead Contact Officer (s):

Nigel Kletz
Corporate Procurement Services
Strategic Services Directorate

Telephone No:

0121 303 6610

E-mail address:

nigel.kletz@birmingham.gov.uk

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 1st 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 August 2018 – October 2018

Report Version 1 **Dated** 13/06/2018

APPENDIX 1 – PLANNED PROCUREMENT ACTIVITIES (AUGUST 2018 – OCTOBER 2018)

Type of Report	Title of Procurement	Ref	Brief Description	Contract Duration	Directorate	Portfolio Commercialism, Commissioning and Contract Management Plus	Finance Officer	Contact Name	Planned CO Decision Date
Strategy / Award	Personal Protective Equipment and Workwear	TBC	The supply of personal protective equipment (PPE) and workwear including clothing, footwear and accessories (such as ear protection) for Council departments.	4 years	Strategic Services	Deputy Leader	Thomas Myers	Jas Claire	16/07/2018