

Public Report  
**Birmingham City Council**  
**Report to Cabinet**

Date: 13<sup>th</sup> November 2018



**Subject:** **PLANNED PROCUREMENT ACTIVITIES (JANUARY 2019 – MARCH 2019) AND QUARTERLY CONTRACT AWARD SCHEDULE (JULY 2018 – SEPTEMBER 2018)**

**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**

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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: <b>00xxx/2018</b>		
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 January 2019 – March 2019 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.

## **2 Recommendations**

That Cabinet

- 2.1 Notes the planned procurement activities under chief officer delegations set out in the Constitution for the period January 2019 – March 2019 as detailed in Appendix 1.
- 2.2 Notes the contract award decisions made under Chief Officers delegation during the period July 2018 – September 2018 as detailed in Appendix 3.

## **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 1<sup>st</sup> 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.
- 3.8 Award decisions made under Chief Officers delegation during the period July 2018 – September 2018 is shown in Appendix 3 appended to the Private report. The financial information for each award is detailed in the Private Report..

3.9

#### **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.
- 4.3 To inform Cabinet of contract award decisions made under Chief Officers delegation during the period July 2018 – September 2018 as detailed in Appendix 3.

#### **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 3 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
- 3. Appendix 3 – Quarterly Award Schedule July 2018 – September 2018
- 4. Appendix 4 – Contractors Awarded For Adult Specialist Training

**APPENDIX 1 – PLANNED PROCUREMENT ACTIVITIES (JANUARY 2019 – MARCH 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 (SCN)	Specialist Forensic Mental Health Residential Step Down Rehabilitation Service	TBC	The service provides clients with a proactive, time limited and intensive rehabilitation programme, which is flexible to meet individual's needs and focuses upon assisting recovery from mental health.	1 year, 4 months	Adults Social Care & Health	Health and Social Care	Samantha Bloomfield	Chris MacAdams	17/12/2018
Approval to Tender Strategy	Demolition of Various Buildings for the BMHT Housing Clearance Programme	TBC	The demolition of buildings at the following sites: <ul style="list-style-type: none"> <li>• Heath House</li> <li>• Kings Norton Area 1</li> <li>• Kings Norton Areas 2 - 5</li> <li>• Barberry House</li> <li>• Burdock House</li> <li>• Lavender House</li> <li>• Heather House</li> <li>• Alfred Road/Beach Road</li> <li>• The Fordrough / Houldey Road</li> <li>• Warstone Tower</li> </ul>	Various	Economy	Homes and Neighbourhoods	Guy Olivant	Tina Rowlands / Charlie Short	17/12/2018
Strategy / Award	Installation of Dropped Kerb Crossings	TBC	The installation of dropped kerb crossings to provide access for light vehicles into properties adjacent to the highway network.	1 year, 5 months	Economy	Transport and Roads	Simon Ansell	Phil Woodhouse	17/12/2018
Approval to Tender Strategy	Employer's Agent Service to support the delivery of 400 Modular Pod Housing Units Across Various Sites	TBC	An Employer's Agent service is required to provide full project management services for the development of approximately 400 modular (mod pods) housing units.	6 years	Economy	Homes and Neighbourhoods	Guy Olivant	Mark English / Charlie Short	17/12/2018

## APPENDIX 2

### BRIEFING NOTE ON PLANNED PROCUREMENT ACTIVITIES CABINET – 13<sup>TH</sup> NOVEMBER 2018

Title of Contract	<b>Specialist Forensic Mental Health Residential Step Down Rehabilitation Service</b>
Briefly describe the service required	A ten bed Specialist Forensic Mental Health Step Down Residential Rehabilitation Service unit for individuals with complex needs who are ready to leave secure mental health units and are typically under restriction orders (Sections 37 and 41 Mental Health Act 2007) at 807 Pershore Road. The service will provide clients with a proactive, time limited and intensive rehabilitation programme, which is flexible to meet individual's needs and focuses upon assisting recovery from mental health. Clients will undergo an extensive programme before they are assessed as ready for independent accommodation within local communities. Assessments are referred to a joint selection panel between Birmingham Social Care and the NHS. There are two units where a very similar service is being provided by Birmingham MIND – one with a contract in place (Flint Green House for which the contract expires 28 April 2020) and one without a contract (807 Pershore Road). There is a requirement to formalise the contractual relationship for 807 Pershore Rd.
Is the Council under a statutory duty to provide this service? If not what is the justification for providing it?	Under the Mental Health Act 1983 as amended together with associated legislation, statutory guidance and codes of practice, the Local Authority has the power and the duty to deliver services to meet the mental health needs of citizens. Under the Care Act 2014 together with associated legislation and statutory guidance the authority has the duty to meet assessed eligible need for care and support. The service is included in the joint arrangements for Mental Health services under a Section 75 agreement between the Council and NHS Birmingham & Solihull CCG.
What are the existing arrangements? Is there an existing contract? If so when does that expire?	The contract with Birmingham Mind relating to the services provided at 807 Pershore Road expired in March 2008. Following expiry of the contract Birmingham Mind continued to provide the services on the same terms and conditions.
What is the proposed procurement route?	To enter into single contract negotiations with the current provider. The Council and the NHS will review and reshape services with the Council leading on the re-procurement exercise ensuring new services are in place for 29 April 2020.
Proposed start date and duration of the new contract	1st December 2018 for a period of 1 year 4 months until 28 April 2020.

Title of Contract	<b>Demolition of Various Buildings for the BMHT Housing Clearance Programme</b>
Briefly describe the service required	The demolition of buildings at the following sites were approved by Cabinet in the Housing Clearance Programme report dated 14 <sup>th</sup> February 2017: <ul style="list-style-type: none"> <li>• Heath House</li> <li>• Kings Norton Area 1</li> <li>• Kings Norton Areas 2 - 5</li> <li>• Barberry House</li> <li>• Burdock House</li> <li>• Lavender House</li> <li>• Heather House</li> <li>• Alfred Road/Beach Road</li> <li>• The Fordrough / Houldey Road – approved by Cabinet in the Clearance of Properties at The Fordrough / Houldey Road report dated 26<sup>th</sup> January 2016</li> <li>• Warstone Tower - approved by Cabinet in the Council Housing Asset Management Plan 2012-2017 report dated 26<sup>th</sup> September 2011.</li> </ul>
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 service to provide this service. However, there is a requirement for the demolition of buildings prior to the commencement of construction of replacement housing developed by the BHMT programme.
What are the existing arrangements? Is there an existing contract? If so when does that expire?	These are one-off contracts
What is the proposed procurement route?	The route will be to carry out procurement processes for each demolition managed by Acivico Building Consultancy Ltd advertised on <a href="http://www.finditinbirmingham.com">www.finditinbirmingham.com</a> and Contracts Finder.
Proposed start date and duration of the new contract	Various start dates.

Title of Contract	<b>Installation of Dropped Kerb Crossings</b>
Briefly describe the service required	The installation of dropped kerb crossings to provide access for light vehicles into properties adjacent to the highway network. A competition exercise using the Highways and Infrastructure Works Framework Agreement will be undertaken with the award up to a maximum of 4 suppliers. Work will be allocated in packages of £50,000 to the first ranked supplier. If this supplier does not have the capacity, the work will be offered to the next ranked supplier and so forth.
Is the Council under a statutory duty to provide this service? If not what is the justification for providing it?	There is no statutory duty for these works to be delivered. However, the Council offers the service to residents in accordance with S184 of the Highways Act 1980 and ensure integrity of the highway asset and traffic service.
What are the existing arrangements? Is there an existing contract? If so when does that expire?	The previous contract that was awarded under Chief Officer delegated authority expires on 30 <sup>th</sup> November 2018.
What is the proposed procurement route?	It is proposed that a competition exercise will be undertaken using the Council's Highways and Infrastructure Works Framework Agreement.
Proposed start date and duration of the new contract	Proposed start date is December 2018 for a period of 17 months. This period is to enable the requirement to be included as a lot within the future Highways & Infrastructure Works framework agreement that is due to commence in May 2020..

Title of Contract	<b>Employer's Agent Service to support the delivery of 400 Modular Housing Units Across Various Sites</b>
Briefly describe the service required	<p>An Employer's Agent service is required to provide full project management services for the development of approximately 400 modular (mod pods) housing units. The services to be provided by the Employer Agent will include:</p> <ul style="list-style-type: none"> <li>• Employer's Agent Services</li> <li>• Quantity Surveying</li> <li>• Engineering Services</li> <li>• Principal Designer</li> <li>• Party Wall Surveying</li> <li>• Clerk of Works</li> <li>• Programme Management</li> <li>• Project Management</li> <li>• Liaison between the Council and contractor(s)</li> </ul>
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 service to provide this service. However, external professional services, not available in-house, are required to support the development of housing at the various sites.
What are the existing arrangements? Is there an existing contract? If so when does that expire?	There is currently a framework for the provision of Employer Agent Services to support the Council's Housing programme to 2020. The allocation of properties has reached the maximum value and therefore no further allocations can be made to the suppliers on the framework.
What is the proposed procurement route?	A full OJEU procurement process is to be completed using the open route.
Proposed start date and duration of the new contract	The proposed start date is February 2019 for a maximum duration of 6 years.



## APPENDIX 3 – QUARTERLY CONTRACT AWARD SCHEDULE (JULY 2018 – SEPTEMBER 2018)

Type of Report	Title of Procurement	Ref	Brief Description	Contract Duration	Directorate	Portfolio Finance and Resources	Finance Officer	Contact Name	Comments - including any request from Cabinet Members for more details	Contractor(s) Awarded to	Chief Officer	Actual Go Live date
Delegated Contract Award	Provision of School Improvement Services	P0431	The Council commissions school improvement services to raise standards in schools and to improve outcomes for all children and young people in the city. The service will extend across statutory school age provision and include a focus on improving outcomes for vulnerable populations.	1 year plus 1 year option to extend	Children and Young People	Children, Families and Schools	Anil Nayyar	Julie Young / Debbie Husler	Presented to Cabinet for info 14/11/2017. Approval to Tender Strategy Report signed <b>26/01/2018</b> and delegated the award to CO. Delegated Award Report signed <b>27/06/2018</b> .	Birmingham Education Partnership	Nigl Kletz / Colin Diamond	01/09/2018
Delegated Contract Award	The Provision of a Birmingham Car Club Service	P0313	To establish a car club service in Birmingham from all available car club bay locations on the highway, allowing for expansion fo existing car club provision.	3 years plus 2 years option to extend	Economy	Transport and Roads	Simon Ansell	Naomi Coleman / David Waddington	Cabinet approved the Procurement Strategy by Cabinet Member for Transport and Roads and Cabinet Member for Value for Money and Efficiency, Jointly with the Corporate Director of Economy on <b>31/10/2017</b> and delegated the award to CO. Delegated Contract Award Report signed <b>03/07/2018</b> .	Co-Wheels Car Club Community Interest Company	Waheed Nazir / Nigel Kletz	09/07/2018
Strategy / Award	Supplier Reconciliation Audit	P0430	The Council requires an organisation to provide a retrospective reconciliation audit of core spend and supplier transactions to identify and recover any supplier overpayments, overcharges or missed opportunities (discounts, rebates, unrecovered VAT etc.) from its suppliers.	2 years plus option to extend for a further 2 years	Strategic Services	Deputy Leader	Thomas Myers	Jas Claire	Presented to Cabinet for info 06/03/2018. Strategy / Award Report signed <b>12/07/2018</b> .	Meridian Cost Benefit Limited / t/a Recovery Audit	Nigel Kletz / Clive Heaphy	23/07/2018
Strategy / Award	Tame Valley Viaduct Phase 2– Professional Services	TBC	Engineering professional services for Phase 2 of the A38(M) Tame Valley Viaduct project, to enable the completion of the outstanding design refinements, assessments, investigatory works, surveys and stakeholder liaison including obtaining the required approvals from Network Rail and other statutory organisations.	2 years	Economy	Transport and Roads	Simon Ansell	Charlie Short / Kamyar Tavassoli	Presented to Cabinet for info 17/04/2018. Strategy / Award Report signed <b>20/07/2018</b> .	Atkins Limited	Waheed Nazir / Nigel Kletz	02/07/2018
Strategy / Award	Clean Air Zone Programme Management	TBC	The service required is for the continuation of programme management services to oversee the implementation of a Clean Air Zone in Birmingham.	8 months	Economy	Transport and Roads	Simon Ansell	David Harris	Presented to Cabinet for info 15/05/2018. Strategy / Award Report signed <b>24/07/2018</b> .	Turner & Townsend Limited	Waheed Nazir / Nigel Kletz	23/07/2018
Strategy / Award	District Engineering and Highway Design Service	P0337	District engineering and highway design service.	3 years, 5 months	Economy	Transport and Roads	Simon Ansell	Alan Porter / Jas Claire	Presented to Cabinet for info 22/03/2016. Strategy / Award Report signed <b>24/07/2018</b> .	Canwell Limited	Waheed Nazir / Nigel Kletz	30/07/2018
Delegated Extension Award	School Health Advisory Service	C0153	Provision of School Health Advisory Service.	1 year, 3 months	Adults Social Care & Health	Health and Social Care	Peter Woodall	Sarah Feeley / Dennis Wilkes	Cabinet Members for Commissioning, Contracting and Improvement jointly with Strategic Director of People approved the Procurement Strategy Report on <b>16/12/2015</b> with the option to extend for a further 2 years. Delegated Extension Award Report signed <b>23/01/2018</b> . Delegated Extension Award Report signed <b>27/07/2018</b> .	Birmingham Community Healthcare NHS Foundation Trust (BCHFT)	Nigel Kletz / Graeme Betts	01/08/2018
Delegated Contract Award	Birmingham Adult Education Service Training Providers	P0219R	Training for young learners aged 16-18 years and adults funded by the Skills Funding Agency (SFA). The framework agreement will cover following types of training: • Lot 1 Career Information, Advice and Guidance • Lot 2 16-18 Study Programmes and Traineeships • Lot 3 19+ Classroom based provision; including non-regulated provision • Lot 4 19+ Traineeships and pre-employment training.	3 years	Place	Education, Skills & Culture	Parmjeet Jassal	Marie Hadley	Presented to Cabinet for info 27/06/2017. Approval to Tender Strategy signed <b>09/01/2018</b> And delegated the award to CO. Delegated Contract Award Report signed <b>12/09/2018</b> .	Please refer to Appendix 3 in the Public Report.	Nigel Kletz / Jacqui Kennedy	17/09/2018

## **APPENDIX 4**

### **CONTRACTORS AWARDED FOR ADULT SPECIALIST TRAINING**

<b>LOT 1A - 16 -18 Study Programmes - Opportunities under £100,000</b>
Advanced Personnel Management Group (UK) Limited
Birmingham Independent College Ltd
Solvo Vir Ltd

<b>LOT 1B - 16 -18 Study Programmes - Opportunities £100,000+</b>
Advanced Personnel Management Group (UK) Limited
Polino UK Ltd
Solvo Vir Ltd

<b>LOT 2A - 19+ Career Information, Advice and Guidance (IAG) – Opportunities under £100,000</b>
Advanced Personnel Management Group (UK) Limited
Ashley Community & Housing LTD
Birmingham Metropolitan College
Compass Support
Enterkey Training Ltd
Go Train Limited
Kingstanding Regeneration Trust
Matrix Solutions International
People Plus Group Ltd
Phoenix Training Services (Midlands) Ltd
Prima Consultancy
The Intraining Group
Transworld Publications Services Limited
UK Curriculum and Accreditation
Witton Lodge Community Association

<b>LOT 2B - 19+ Career Information, Advice and Guidance (IAG) – Opportunities £100,000+</b>
Advanced Personnel Management Group (UK) Limited
Ashley Community & Housing LTD
Aspects Care Ltd
Birmingham Metropolitan College
Enterkey Training Ltd
Go Train Limited
Matrix Solutions International
People Plus Group Ltd
Phoenix Training Services (Midlands) Ltd
The Intraining Group Ltd
UK Curriculum and Accreditation
Witton Lodge Community Association

<b>Lot 3A -19+ Classroom based provision, including non-regulated provision - Opportunities under £100,000</b>
Advanced Personnel
Ashley Community
Barnardos
Birmingham Metropolitan College
Enterkey Training Ltd
Fircroft College
Go Train Limited
Learning into Employment
Matrix Solutions International
Nacro
PeoplePlus Group
Phoenix Training Services
Prima Consultancy
Solihull College
Solvo Vir Limited
Street League
The Intraining Group
Transworld
UK Curriculum
Witton Lodge

<b>Lot 3B -19+ Classroom based provision, including non-regulated provision - Opportunities £100,000 +</b>
Advanced Personnel Management Group (UK) Limited
Ashley Community & Housing LTD
Aspects Care Ltd
Barnardo's
Learning into Employment Academy Ltd
Matrix Solutions International
Nacro
Pathway First Limited
Polino UK Ltd
Prima Consultancy
Solvo Vir Ltd
The Intraining Group Ltd
FLT Training ( Liverpool) Ltd
UK Curriculum and Accreditation
Witton Lodge
Enterkey Training Ltd
PeoplePlus Group Ltd
Phoenix Training Services (Midlands) Ltd
Go Train Limited
Vocational Skills Solutions Limited

<b>Lot 4a 19+ Pre-employment training – Opportunities under £100,000</b>
Advanced Personnel Management Group (UK) Limited
Ashley Community & Housing Ltd
Enterkey Training Ltd
FLT Training ( Liverpool) Ltd
Go Train Limited
Kingstanding Regeneration Trust
Learning into Employment Academy Ltd
Matrix Solutions International
PeoplePlus Group Ltd
Phoenix Training Services (Midlands) Ltd
Polino UK Ltd
Prima Consultancy
Solihull College and University Centre
Solvo Vir Ltd
Street League
Transworld Publications Services Limited
UK Curriculum and Accreditation
Witton Lodge

<b>Lot 4B -Traineeships and pre-employment training - Opportunities £100,000 +</b>
Advanced Personnel Management Group (UK) Limited
Ashley Community & Housing LTD
Aspects Care Ltd
Fairway Training (Healthcare) Limited
Go Train Limited
Matrix Solutions International
Pathway First Limited
People Plus Group Ltd
Phoenix Training Services (Midlands) Ltd
Prima Consultancy
Solvo Vir Ltd
UK Curriculum and Accreditation
Vocational Skills Solutions Limited
Witton Lodge Community Association