

**AGENDA ITEM**

**REPORT TO CABINET**

**18 MARCH 2021**

**REPORT OF CORPORATE  
MANAGEMENT TEAM**

**CABINET / KEY DECISION**

**Leader of the Council - Councillor Bob Cook**

**2021/22 ANNUAL PROCUREMENT PLAN / HIGHER VALUE CONTRACTS**

**SUMMARY**

This report seeks approval from Cabinet for the award of a number of planned higher value contracts scheduled for 2021/22, where the value exceeds the limit on officer delegated authority and which are either funded within the approved MTFP or are subject to a bid for external funding.

**REASONS FOR RECOMMENDATION/DECISION**

To enable Cabinet to exercise its strategic oversight of higher value planned procurement projects, in accordance with the updated constitution and to avoid the need to submit multiple individual requests for contract approvals.

**RECOMMENDATION**

1. That Cabinet approves the contracts listed in **Annex 1** and gives associated authority to the relevant Director or Assistant Director to make the specific contract award decisions and any subsequent contract variation and extension.

**DETAIL**

1. The constitution defines a range of decisions that require a specific Cabinet approval, the financial threshold for which is set at a level of £500k or more. **Annex 1** lists the known procurement projects over £500k that are underway and due for contract award. The value of the individual contracts each exceeds the financial threshold and have not otherwise been delegated to officers.

**COMMUNITY IMPACT IMPLICATIONS**

2. Not applicable.

**CORPORATE PARENTING IMPLICATIONS**

3. Not applicable.

**FINANCIAL IMPLICATIONS**

4. The report sets out a number of higher value contracts expected to be awarded in the current financial year. The expenditure committed as a result of these procurements is planned and remains within the Council's approved budget/MTFP or is subject to a bid for external funding which will ensure that at the point of contract award funds are available within the MTFP.

## **LEGAL IMPLICATIONS**

5. Notwithstanding Cabinet approval it remains the responsibility of officers to ensure that the correct processes within Contract Procedure Rules have been followed and that where applicable the Public Contracts Regulations 2015 are complied with.
6. Where the value of goods, services or works exceeds the threshold at which the procurement process must comply with the Public Contracts Regulations either a tender exercise or the use of a suitable framework agreement will comply with the Regulations.

## **RISK ASSESSMENT**

7. These procurements are categorised as low to medium risk. Existing management systems and activities are sufficient to control and reduce risk.

## **WARDS AFFECTED AND CONSULTATION WITH WARD/COUNCILLORS**

8. Not applicable – does not relate directly to specific wards.

## **BACKGROUND PAPERS**

None

**Name of Contact Officer: Garry Cummings**

**Post Title: Director of Finance, Development and Business Services**

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<b>Learning Disabilities Day Opportunities</b>	
<ol style="list-style-type: none"> <li>1. The Council will carry out a tender process to appoint suitable care providers onto a framework agreement to allow the Council to purchase day opportunity placements.</li> <li>2. The new framework agreement will commence 01.04.2022.</li> <li>3. The current annual spend is circa £1.3m.</li> </ol>	
Key Decision: Yes	Funding within MTFP: Yes
Delegated Officer: Ann Workman, Director of Adults and Health	
Checks and Balances: In consultation with other appropriate officers for professional advice to include finance and procurement.	

<b>NEPO – Provision of Independent Fostering Services</b>	
<ol style="list-style-type: none"> <li>1. NEPO will carry out a tender process to appoint Independent Foster Agencies onto a regional framework agreement allowing the Council to purchase fostering placements.</li> <li>2. The new framework agreement will commence 1.04.2022.</li> <li>3. The current annual spend is circa £2.5m</li> </ol>	
Key Decision: Yes	Funding within MTFP: Yes
Delegated Officer: Martin Gray, Director of Childrens Services	
Checks and Balances: In consultation with other appropriate officers for professional advice to include finance and procurement.	

<b>Supported Accommodation Services for Homeless Complex Individuals and Families</b>	
<ol style="list-style-type: none"> <li>1. The Council will carry out a tender process to appoint suitable providers to deliver supported accommodation services for homeless, complex individuals and families.</li> <li>2. The new contracts will commence 01.10.2021.</li> <li>3. The current annual spend is circa £777k.</li> </ol>	
Key Decision: Yes	Funding within MTFP: Yes
Delegated Officers: Garry Cummings, Director of Finance, Development & Business Services	
Checks and Balances: In consultation with other appropriate officers for professional advice to include finance and procurement.	

<b>Supported Accommodation Services for Young People</b>	
<ol style="list-style-type: none"> <li>1. The Council will carry out a tender process to appoint a suitable provider to deliver supported accommodation services for homeless, complex individuals, young people and families.</li> <li>2. The new contracts will commence later in 2021 and will likely be a 3 year term with possible extensions.</li> <li>3. The current annual spend is circa £112k</li> </ol>	
Key Decision: No	Funding within MTFP: Yes
Delegated Officers: Martin Gray, Director of Childrens Services	
Checks and Balances: In consultation with other appropriate officers for professional advice to include finance and procurement.	

<b>Rapid Response/ Discharge to Assess Home Care Service</b>	
<ol style="list-style-type: none"> <li>1. The Council will carry out a further competition through the Care at Home Standard Framework Agreement to appoint a suitable care provider(s) to allow the Council to purchase personal care for residents in their own home upon discharge from hospital whilst awaiting a care act assessment or those who require immediate personal care whilst allowing for a short term period of mobilisation of the designated provider.</li> <li>2. The new contract will commence early 2021 and will likely be a 2 year term.</li> <li>3. The current annual spend is circa £260k.</li> </ol>	
Key Decision: No	Funding within MTFP: Yes

Delegated Officer: Ann Workman, Director of Adults and Health
Checks and Balances: In consultation with other appropriate officers for professional advice to include finance and procurement.

<b>Minor Adaptations &amp; Handyman's Service</b>	
<ol style="list-style-type: none"> <li>1. The Council will carry out a tender process to appoint a suitable provider to allow the Council to fulfil its statutory responsibility under the Care Act to provide a minor adaptation service to also include minor repairs and advice and information.</li> <li>2. The new contract will commence 01.07.2021 and will likely be a 4 year term with possible extensions.</li> <li>3. The current annual spend is circa £370k</li> </ol>	
Key Decision: No	Funding within MTFP: Yes
Delegated Officer: Ann Workman, Director of Adults and Health	
Checks and Balances: In consultation with other appropriate officers for professional advice to include finance and procurement.	

<b>NEPO311 Water Retail Services</b>	
<ol style="list-style-type: none"> <li>1. NEPO have tendered for a Sole-Supplier Framework Agreement for the provision of Water, Wastewater and Ancillary Services. The Framework Agreement will also include provisions for assisting member authorities to reduce water consumption and support their water efficiency aims.</li> <li>2. A call off contract will be in place with Anglian Water Business (trading as Wave) from 1.4.2021.</li> <li>3. The current annual spend is circa £587k.</li> </ol>	
Key Decision: Yes	Funding within MTFP: Yes
Delegated Officer: Jamie McCann , Director of Community Services	
Checks and Balances: In consultation with other appropriate officers for professional advice to include finance and procurement.	

<b>Minor Works Solution</b>	
<ol style="list-style-type: none"> <li>1. The Council will carry out a tender to appoint a number of suitable suppliers onto a framework agreement to allow the Council to purchase minor works (minor building works, minor civil engineering works, energy efficiency measures etc).</li> <li>2. The new contract will be in place from 1.4.2022.</li> <li>3. Current annual spend is circa £1.1m (based on Comm Services spend alone and will increase taking into account spend across other departments).</li> </ol>	
Key Decision: Yes	Funding within MTFP: Yes
Delegated Officer: Jamie McCann, Director of Community Services and Transport	
Checks and Balances: In consultation with other appropriate officers for professional advice to include finance and procurement.	

<b>NEPO222 Aggregates, Concrete and Mortar</b>	
<ol style="list-style-type: none"> <li>1. NEPO will carry out a tender to appoint a number of suitable suppliers onto a framework agreement to allow the Council to purchase all its aggregates, concrete and mortar requirements.</li> <li>2. The new framework will be in place from 1.5.2021.</li> <li>3. Current annual spend is circa £500k.</li> </ol>	
Key Decision: Yes	Funding within MTFP: Yes
Delegated Officer: Jamie McCann, Director of Community Services and Transport	
Checks and Balances: In consultation with other appropriate officers for professional advice to include finance and procurement.	

<b>NEPO221 Framework for Demolition Works and Associated Services and Asbestos Management</b>	
<ol style="list-style-type: none"> <li>1. NEPO will carry out a tender to appoint a number of suitable suppliers onto a framework agreement to allow the Council to purchase Demolition Works and Asbestos related services.</li> <li>2. The new framework will be in place from 01.01.2022.</li> <li>3. Current annual spend is variable and some will be funded through the capital programme.</li> </ol>	
Key Decision: Yes	Funding within MTFP: Yes
Delegated Officer: Jamie McCann, Director of Community Services and Transport	
Checks and Balances: In consultation with other appropriate officers for professional advice to include finance and procurement.	

<b>Household Waste Recycling Centre</b>	
<ol style="list-style-type: none"> <li>1. The Council, acting as lead and on behalf of Middlesbrough Borough Council, will carry out a tender to appoint a contractor to operate a Household Waste Recycling facility to enable residents from both boroughs to dispose of recyclable waste not collected via the main collection service.</li> <li>2. The tender process will be carried out in 2021/22</li> <li>3. The new contract is anticipated to commence from 4.8.23 and will likely be a 20 year term with possible extensions.</li> <li>4. The current annual spend on these services is approximately £205k.</li> </ol>	
Key Decision: No	Funding within MTFP: Yes
Delegated Officer: Jamie McCann, Director of Community Services	
Checks and Balances: In consultation with other appropriate officers for professional advice to include finance and procurement.	

<b>NEPO307 Liquid Fuels</b>	
<ol style="list-style-type: none"> <li>1. NEPO will carry out a tender to appoint a number of suitable suppliers onto a framework agreement to allow the Council to purchase Liquid fuels (Diesel, Petrol, Gas oil and Kerosene).</li> <li>2. The new framework will be in place from 1.8.2021.</li> <li>3. The current annual spend is circa £1m.</li> </ol>	
Key Decision: Yes	Funding within MTFP: Yes
Delegated Officer: Jamie McCann, Director of Community Services	
Checks and Balances: In consultation with other appropriate officers for professional advice to include finance and procurement.	

<b>Local Area Discretionary Grant (LAD2) Energy Efficiency Measures in Domestic Properties</b>	
<ol style="list-style-type: none"> <li>1. In July 2020 the Chancellor announced a £2 billion Green Homes Grant scheme to upgrade homes across England. Under the scheme, £500 million funding will be allocated to local authorities through the Local Authority Delivery (LAD) scheme, to improve the energy efficiency of homes of low-income households, helping reduce fuel poverty, phasing out high carbon fossil fuel heating, and delivering progress towards the UK's commitment to net zero by 2050.</li> <li>2. The Council has been allocated funding to the value of £ 1.15m</li> <li>3. Subject to receiving funding, contracts will be put in place with appropriately accredited suppliers in accordance with the Council's Contract Procedure Rules in order to deliver the efficiency measures in domestic properties across the borough.</li> </ol>	
Key Decision: Yes	Funding within MTFP: Yes
Delegated Officer: Reuben Kench Director of The Environment, Culture, Leisure and Events.	
Checks and Balances: In consultation with other appropriate officers for professional advice to include finance and procurement.	

<b>NEPO515 Children &amp; Adult's Barrister Service</b>	
<ol style="list-style-type: none"> <li>1. NEPO will carry out a tender to appoint barristers onto a framework agreement to allow the Council to purchase services to provide specialist advice and advocacy in relation to children and adult social care matters.</li> <li>2. The new framework will be in place from 1.8.21 and will likely be a 4 year term with possible extensions.</li> <li>3. The current annual spend is circa £157k.</li> </ol>	
Key Decision: No	Funding within MTFP: Yes
Delegated Officer: Beccy Brown, Director of HR, Legal & Communications	
Checks and Balances: In consultation with other appropriate officers for professional advice to include finance and procurement.	

<b>NEPO 418 Provision of Library Books and E-Books</b>	
<ol style="list-style-type: none"> <li>4. NEPO will carry out a tender process to appoint suppliers onto a framework agreement to allow the Council to purchase Adult Fiction and Non-fiction, Children's Fiction and Non-Fiction, DVDs and Blu Rays and e-books across our various individual branch libraries, schools and other client establishments.</li> <li>5. The new framework agreement will commence 31.03.2022 and will likely be a 4 year term with possible extensions.</li> <li>6. The current annual spend is circa £100k which may increase as other products such as e-books will be included in this framework.</li> </ol>	
Key Decision: No	Funding within MTFP: Yes
Delegated Officer: Rueben Kench – Director, Environment, Culture, Leisure & Events	
Checks and Balances: In consultation with other appropriate officers for professional advice to include finance and procurement.	

<b>WAN Service Monitoring and Support</b>	
<ol style="list-style-type: none"> <li>1. The council will call off from a suitable framework agreement allowing the Council to provide wide area network links connecting 69 sites for SBC &amp; DBC.</li> <li>2. The new contract will commence 1.10.2021 with a 2 year term.</li> <li>3. The current annual spend is circa £450k.</li> </ol>	
Key Decision: No	Funding within MTFP: Yes
Delegated Officer: Ian Miles, Assistant Director Xentrall Shared Services	
Checks and Balances: In consultation with other appropriate officers for professional advice to include finance and procurement.	

<b>Microsoft 365 E + EMS Contract</b>	
<ol style="list-style-type: none"> <li>1. The council will call off from a suitable framework agreement to allow the Council to purchase the Microsoft Office 365 productivity suite, underpinning remote working, collaboration and classic ICT functions such as word processing, email and spreadsheets etc, The call off contract will be on behalf of SBC, Darlington Borough Council, Tees Valley Combined Authority and Tees Active.</li> <li>2. The new contract will commence 24.5.2021 with a 4 year term.</li> <li>3. The current annual spend is circa £300k.</li> </ol>	
Key Decision: No	Funding within MTFP: Yes
Delegated Officer: Ian Miles, Assistant Director Xentrall Shared Services	
Checks and Balances: In consultation with other appropriate officers for professional advice to include finance and procurement.	

<b>Provision of an Advice and Information Service for Residents of Stockton on Tees.</b>	
<ol style="list-style-type: none"> <li>1. The Council will make a direct award of contract to Stockton District Advice and Information Service (SDIAS) for the provision of advice and information to residents. SDAIS have exclusive rights via Citizens Advice to provide this service and as such the proposal is to directly award a contract to SDAIS under Section 5 of Contract Procedure Rules.</li> <li>2. The new contract will commence 1.6.2021 and will likely be a 3 year term with possible extensions.</li> <li>3. The current annual spend is circa £244k.</li> </ol>	
Key Decision: No	Funding within MTFP: Yes
Delegated Officer: Garry Cummings, Director of Finance, Development and Business Services	
Checks and Balances: In consultation with other appropriate officers for professional advice to include finance and procurement.	

<b>NEPO 504 Election &amp; Electoral Registration Printing</b>	
<ol style="list-style-type: none"> <li>1. NEPO will carry out a tender process to appoint suppliers onto a framework agreement to allow the Council to purchase election and electoral registration printing.</li> <li>2. The new framework will be in place from 1.9.21 and will be a 4 year term with possible extensions.</li> <li>3. The current spend is circa £162k per year.</li> </ol>	
Key Decision: No	Funding within MTFP: Yes
Delegated Officer: Margaret Waggott, Assistant Director of Democratic, Administration & Electoral Services	
Checks and Balances: In consultation with other appropriate officers for professional advice to include finance and procurement.	

<b>Contract for External Legal Support – Adults and Children’s Social Care</b>	
<ol style="list-style-type: none"> <li>1. The council will award a call off contract via the NEPRO3 Professional Services Framework Agreement allowing the Council to appoint an external provider to supplement the capacity within the Council’s in-house legal team to provide specific support with advice and representation to Children’s Services and to Adult Services.</li> <li>2. The new contract will be in place from 1.4.2021 and will be a 3 year term with possible extensions.</li> <li>3. The contract will be capped at a maximum annual spend of £240k</li> </ol>	
Key Decision: No	Funding within MTFP: Yes
Delegated Officer: Beccy Brown, HR, Legal & Communications Services Director	
Checks and Balances: In consultation with other appropriate officers for professional advice to include finance and procurement.	