

Contract for Award Under Delegated Authority from Executive

Committee considering report:	Executive
Date of Committee:	12 December 2024
Portfolio Member:	Councillor Iain Cottingham
Date Portfolio Member agreed report:	Councillor Iain Cottingham
Report Author:	Thomas Bailey
Forward Plan Ref:	EX4583

1 Purpose of the Report

- 1.1 To provide details of forthcoming supply, service and works contract awards that will have a contract value in excess of £2.5m and as such will require approval from Executive during the next quarter. This report provides Executive with visibility of all high value contracting activity and the opportunity to request further information regarding the contract identified.
- 1.2 To gain approval from Executive to delegate authority to an individual (Service Director) to proceed with the contract awards provided in this report, on the condition that a Procurement Strategy and a Contract Award report is granted approval by Procurement Board.
- 1.3 A consolidated report is considered the most effective way of complying with the Council's Contract Rules, whilst providing Executive with visibility of forthcoming high value contracts requiring approval. This in turn will help minimise any delays that may impact the procurement timetable for contract award and service mobilisation.
- 1.4 In addition, to provide an overview of contracts with a value in excess of £2.5M which are anticipated to be awarded during the following quarter, further details of which will be subject to inclusion in a future report.

2 Recommendation

- 2.1 Executive to delegate authority to an individual (Service Director) to proceed with the award of the contract in table 4.5 in consultation with the Portfolio Holder, following the completion of the appropriate procurement process and Procurement Board approval of a Contract Award report.
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3 Implications and Impact Assessment

Implication	Commentary
Financial:	<p>Contracts will be procured in line with the Council's Contract Rules. All contracts with a value in excess of £100k require approval of a Procurement Strategy before procurement is commenced and the award is subject to the approval of a Contract Award report by Procurement Board prior to the formal award of the contract.</p> <p>All contracts over £500k in value are considered key decisions and will be placed on the forward plan at point of Procurement Strategy.</p>
Human Resource:	N/A
Legal:	<p>Contracts will be procured in line with the Council's Contract Rules and the Public Contracts Regulations 2015.</p> <p>All contracts with a value in excess of £2.5m will have a procurement strategy and contract award report which has been approved by Procurement Board, Corporate Board and Operations Board. The Service Director shall have delegated authority to award the contract subject to such approval and in consultation with the Portfolio Holder, S.151 officer and Monitoring Officer.</p>
Risk Management:	<p>As part of each procurement process, supplier due diligence is carried out to include: review and verification of financial health, confirmation of insurances held, credit report, references and reassurance around the ability to evidence and deliver public sector contracts.</p>
Property:	N/A
Policy:	<p>Contracts will be procured in line with the Council's Contract Rules. All contracts with a value in excess of £100k require approval of a Procurement Strategy before procurement is commenced and the award is subject to the approval of a Contract Award report by Procurement Board prior to the formal award of the contract.</p>

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	Positive	Neutral	Negative	Commentary
Equalities Impact:		X		
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		
Environmental Impact:		X		
Health Impact:		X		
ICT Impact:		X		
Digital Services Impact:		X		
Council Strategy Priorities:				Business as usual
Core Business:		X		
Data Impact:		X		

Consultation and Engagement:	N/A
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4 Executive Summary

- 4.1 To gain approval from Executive on forthcoming contract awards due to take place during the next quarter of the financial year.
- 4.2 Following the completion of the procurement process, the service area will be required to submit a Contract Award report to Procurement Board for approval prior to awarding the contract. The Service Director will consult with Portfolio Holders, the s.151 officer and Monitoring Officer prior to contract award to ensure necessary consultation has been completed.
- 4.3 There are a number of projects listed on the Council’s Capital programme where it is not known at this stage if the delivery of these projects will require tendering for supply contracts. Whilst every effort has been made to include all contracts which are likely to arise, it is possible that other, urgent requirements may emerge. Such cases will need to be reported separately to the board as individual contract award reports for approval. It is acknowledged that there will also remain the need for some contracts to follow the standard governance process rather than be included in this report.
- 4.4 The contract award summary table (4.5) provides an overview of the contract which is being tendered following approval of a Procurement Strategy by the Procurement Board. This contract is expected to have a contract value of over £2.5m based on the available budget.
- 4.5 Forthcoming Contract Award Summary Table – subject to approval within this report

Contract Title	Service Area	Budget (inc. tolerance)	Contract planned start date	Procurement Process	Evaluation weightings	Proposed Contract Term (years)	Estimated contract term award value	Tender Status
Adult Homelessness Accommodation Contract	Planning	Budget is capped at £360,000, however we have built in the CPI or maximum of 5% model Cost centres are 76220 L060W PCON.	1 st April 2025	Open Tender	40% quality 50% cost 10% social value	5+2	£2,502,000	Procurement Board June 2024

5 Supporting Information

5.1 Introduction

The contract presented in this report has an estimated value in excess of £2.5m for the whole life of the contract term, including any optional extensions. The budget information is currently provided by the service area leading the procurement strategy.

5.2 Background

Procurement Board has the overall responsibility for monitoring contractual spend within the Council. The Procurement Board scrutinise both the strategy and award reports to ensure the procurement is compliant with the Council's constitution, relevant legislation, the Public Contracts Regulations 2015 and that the award of the contract demonstrates value for money. All contracts with a value in excess of £100,000 require an individual Procurement Strategy to be submitted to Procurement Board for scrutiny and approval prior to the service area conducting a procurement process. Following the completion of the procurement process, a contract award report detailing the outcome of the procurement is submitted to Procurement Board for approval prior to awarding the contract.

5.3 The Contract Rules state that for supply contracts with a value of in excess of £2.5m, a Contract Award report must be approved by Procurement Board, Corporate Board and Executive, before the contract can be awarded.

5.4 Further detail regarding the contract set out in 4.5 is included as a Part II report for Executive meeting.

6 Other options considered

6.1 The approval of a consolidated contract award report is considered the most efficient way of meeting the governance requirements of the Constitution; therefore no alternative proposals are being made.

7 Conclusion

7.1 For Executive to delegate authority to an individual (Service Director) to proceed with the award of the contract in table 4.5 in consultation with the Portfolio Holder, following the completion of the appropriate procurement process and Procurement Board approval of a Contract Award report.

7.2 Executive resolves to:

- (1) delegate authority to the relevant Service Director in consultation with the relevant portfolio holder, s.151 officer and Monitoring Officer to proceed with award of the forthcoming contract that has been identified in this report for award approval during the next quarter of the financial year.
- (2) delegate authority to the Service Director and Democratic in consultation with the relevant Monitoring Officer to finalise the terms of any agreement as set out in the procurement documents and make any necessary drafting or other amendments (such amendments not to be substantial or material) to the terms of the agreement necessary to produce a final agreement for execution and to enter into that agreement.

8 Appendices

None.

Subject to Call-In:

Yes: No:

- The item is due to be referred to Council for final approval
- Delays in implementation could have serious financial implications for the Council
- Delays in implementation could compromise the Council's position
- Considered or reviewed by Scrutiny Commission or associated Committees, Task Groups within preceding six months
- Item is Urgent Key Decision
- Report is to note only

Wards affected: The named contract above related to services for West Berkshire as a whole authority rather than specific areas.

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