

AGENDA ITEM:

Meeting	Cabinet Resources Committee
Date	16 December 2013
Subject	Contract Procurement Plan
Report of	Cabinet Member for Resources and Performance
Summary	This report sets out the detail of additional planned contract procurement activity for the remainder of the financial period 2013/14 for approval.

Officer Contributors	Kevin Bates (Head of Procurement)
Status (public or exempt)	Public
Wards Affected	All
Key Decision	No
Reason for urgency / exemption from call-in	Not applicable
Function of	Executive
Enclosures	Appendix 1 – Procurement activity by service area for the remainder of the financial year 2013/14
Contact for Further Information:	Kevin Bates, Head of Procurement, 020 8359 7023

1. RECOMMENDATIONS

- 1.1 That approval be given for Officers to proceed with the additional contract procurement activity for the remainder of the financial year 2013/14 as set out in Appendix 1 to this report subject to budget availability.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Cabinet, 23 February 2009, Item 6 (Council Budget & Council Tax Reports, 2008/09)
- 2.2 Council, 3 March 2009, Decision 178 (Report of Cabinet 23 February 2009, Council Budget & Council Tax Reports, 2008/09)
- 2.3 Cabinet, 22 February 2010, Item 6 (Budget & Council Tax Reports, 2009/10)
- 2.4 Council, 2 March 2010, Decision 145 (Report of Cabinet 22 February 2010, Council Budget & Council Tax Reports, 2009/10)
- 2.5 Cabinet, 14 February 2011, Item 5E (Budget, Council Tax and Medium Term Financial Strategy 2011/12 – 2013/14)
- 2.6 Council, 1 March 2011, Decision 8 (Report of Cabinet 14 February 2011, Budget, Council Tax and Medium Term Financial Strategy 2011/12 – 2013/14)
- 2.7 Cabinet, 24th May 2011, Item 5 (Report of Cabinet Member for Resources and Performance - Contract Procurement Plan 2011/12)
- 2.8 Cabinet, 20th June 2012, Item 12 (Report of Cabinet Member for Resources and Performance - Contract Procurement Plan 2012/13)
- 2.9 Cabinet, 7th November 2012, Item 7 (Report of Cabinet Member for Resources and Performance - Contract Procurement Plan 2013/14)
- 3.0 Cabinet Resources Committee, 4th November 2013, Item 14 (Report of Cabinet Member for Resources and Performance – Contract Procurement Plan 2014/15)

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 The Contract Procurement Plan for the remainder of the financial year 2013/14 will enable the Council to maintain an accurate oversight of procurement activity across the full range of its services and thereby support more commercial and efficient procurement practices. In this way, the Contract Procurement Plan drives achievement of the Council's strategic objectives as set out in the Corporate Plan 2013-16 to:

- Promote responsible growth, development and success across the borough

- Support families and individuals that need it – promoting independence, learning and well-being
- Improve the satisfaction of residents and businesses with the London Borough of Barnet as a place to live, work and study.

This also supports the One Barnet priority of ‘a relentless drive for efficiency’.

- 3.2 The Council is committed to the transparency agenda. Until 2011/12, the planned procurement activity for each financial year has been scrutinised and approved by Cabinet Resources Committee as part of the annual Budget Report. In support of the Council’s transparency agenda, Officers have developed a separate Contract Procurement Plan for remainder of the financial period 2013/14 for Cabinet Resources Committee submission as a stand-alone item in addition to the Contract Procurement Plan 2014/15 which has already received Cabinet Resources Committee approval. This continues to enhance its visibility and to ensure that the Council’s planned procurement activity is given due consideration in the light of its importance to the successful delivery of the Council’s corporate objectives and the One Barnet agenda. Some elements of the Contract Procurement Plan cover contracts where procurement activity will need to be before the next financial year early to achieve greater efficiencies and future planning.
- 3.3 The governance arrangements that support the procurement activity are contained within the Council’s Contract Procedure Rules and supporting Code of Practice.

4. RISK MANAGEMENT ISSUES

- 4.1 If the Council does not manage the contract renewal programme effectively and efficiently it could lead to a detrimental impact on value for money and the likelihood of delivering significant procurement savings. In addition the Council will be unable to forward plan the need for appropriate resource to support the programme. Well planned processes will enable effective commercial negotiations to take place thereby driving lower costs from the portfolio of contracts put to market.

5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 From 5 April 2011 the previous separate equality duties on public authorities covering race, disability and gender were replaced by a single Public Sector Equality Duty. Section 149 in Chapter 1 of Part 11 of the Equality Act 2010, is the new public sector equality duty. This Public Sector Equality Duty also extends to gender reassignment, age, sexual orientation and religion and religious belief.
- 5.2 There is a ‘general duty’, on public authorities to have a due regard to the need to:
- a) Eliminate unlawful discrimination, harassment, and victimisation;
 - b) Advance equality of opportunity between those covered by the Equality Act and those not covered, e.g. between disabled and non-disabled people;

- c) Foster good relations between these groups.
- 5.3 The Act makes it clear that authorities can use procurement to drive equalities and contains a specific measure on procurement, making provision: “to enable duties to be imposed in relation to the exercise of public procurement functions”.
- 5.4 The Council has a process for assessing the equalities impact of all of its activity and, in awarding any contract, Officers will ensure that the Council’s approach to equalities is applied.
- 5.5 With specific regard to those contracts set out in the proposed 4 year Contract Procurement Plan, where equalities issues have a significant bearing, an equality assessment will be undertaken.
- 5.6 By section 149(2) of the Equality Act 2010, the ‘general duty’ also applies to ‘a person, who is not a public authority but who exercises public functions and therefore must, in the exercise of those functions, have due regard to the general equality duty. This includes any organisation contracted by a local authority to provide services on its behalf. The Council will therefore take all necessary and reasonable steps to ensure that all contractors comply with this general equality duty.
- 6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)**
- 6.1 The costs pertaining to the contracts contained within the Appendix 1 to this report are contained within the individual service budgets of the Council.
- 6.2 A number of savings proposals within these plans relate to opportunities driven from improved commercial settlements associated with these contracts. Delivery of these procurement related savings will be monitored throughout the financial year.
- 6.3 Where contract extensions are proposed (as identified in Appendix 1), contract performance is undertaken to ensure service objectives have been reached and that value for money and contract efficiencies are sort with the extension period.
- 6.4 Extensions in Appendix 1 are being sort for the following reasons:
- Short Breaks: due to the introduction of the personalised agenda and the requirement of the local offer (Children’s Bill 2013/14), the current service is being reviewed to meet future statutory requirements. The extension will be from April 2014– March 2015 (up to 1 year).
 - Youth Homeless Support Services: current block contract needs to be reviewed and remodel to make expected budgetary savings before re-tendering the reduced service. Renegotiating current service and contract to make necessary savings. The extension will be from June 2014 –March 2015 (10 months).

- Domestic Violence Service: reviewing the current service in order to make savings and to collaborate with other London boroughs in a re-tender exercise. The extension will be from April 2014- March 2015 (1 year).
- Children Adolescent Mental Health Service: reviewing the current service with health professionals due to undertaking joint commissioning in the future. The extension will be from April 2014 – March 2015 (1 year).
- Meals on wheels Service: is currently under review in order to assess future requirements and demand. Extending the contract allowed for this process to be finalised. Savings are being negotiated with the current supplier, who provides a good service to residents, to ensure best value for the extension period. The extension will be from April 2014-March 2015 (1 year).
- Community Coaching: variation to the existing Children’s Service Early Intervention and Prevention Community Coaches Contract (Lot 9) for a pilot community safety scheme providing Community Coaching for troubled families. The variation will run from February 2014 – January 2015 (1 year).

7. LEGAL ISSUES

- 7.1 In accordance with paragraph 5.9 of the Contract Procedure Rules, the contract terms and conditions employed in the procurement will be approved by HB Public Law or a Legal Advisor approved by the Monitoring Office. Furthermore, as required by paragraph 12.1, if the contract value exceeds £24,999, the contract must be in a form approved by the Monitoring Officer in consultation with HB Public Law or delegated officer.

8. CONSTITUTIONAL POWERS (Relevant section from the Constitution, Key/Non-Key Decision)

- 8.1 Council Constitution, Responsibility for Functions – Section 4.6 details the terms of reference of the Cabinet Resources Committee.
- 8.2 The Council’s Constitution (Contract Procedure Rules) sets out the authorisation process for entering contractual commitments.
- 8.3 The following is an extract from the Contract Procedure Rules contained within the Constitution as it relates to the Procurement Plan:-

“**Authorisation**” is the approval required before quotations or tenders for supplies, services or works may be sought in accordance with Section 7.

Section 7 outlines Authorisation Procedures, including:

- 7.1 Any Procurement, including additions, extensions and variations included in the Annual Budget and Annual Procurement Forward Plan, as approved by Cabinet Resources Committee, is deemed as Authorised irrespective of value.

7.2 Any Procurement which has not been Authorised as set out in 7.1 must be Authorised in accordance with Table A in Appendix 1 of these Contract Procedure Rules.

9. BACKGROUND INFORMATION

- 9.1 The Constitutional requirement to obtain Cabinet Member or Cabinet Committee authorisation, for contract value above stated threshold, before any contractual exercises commence has in previous years been achieved mostly by the inclusion of an appendix within the budget report of the known procurement activity for the current financial year.
- 9.2 Over the last twelve months the visibility and understanding of the role that improved procurement could play in assisting the Council deliver corporate objectives in general but “better for less” services in particular has increased significantly.
- 9.3 In addition the Council has reiterated its commitment to the transparency agenda and developing processes that support this agenda. Following Cabinet Resources Committee authorisation, all decisions taken and contract awarded by officers on contracts in the Appendix 1 will be recorded on the relevant Delegated Powers Report.
- 9.4 As a result, the procurement plan for the next financial year of known contractual activity is being presented to Members as a report in its own right rather than an Appendix 1 within the overarching budget report.
- 9.5 This information will be used for planning procurement activity and will be published in other procurement vehicles in order to attract as much interest from the market as possible.
- 9.6 The data contained within the procurement plan is also used as the basis of the Council’s first Corporate Contract Register.

10. LIST OF BACKGROUND PAPERS

- 10.1 None.

Cleared by Finance (Officer’s initials)	JH
Cleared by Legal (Officer’s initials)	PD

Appendix 1

Directorate	Contract Name / description	Total Contract Value including extensions
Street Scene	Hot and Cold Asphalt	£90,000
Street Scene	Sign Shop alloys and vinyl	£100,000
Street Scene	Highways consumables/plastic bollards/guard rails	£80,000
Street Scene	Metal fabrication - value for Direct Labour Operations (DLO)	£20,000
Street Scene	Development training	£30,000
Street Scene	Parking meter maintenance	£55,000
Street Scene	Household Waste Recycling Centre provision of office & mess facilities	£40,000
Street Scene	Reward Incentive Scheme	£1,200,000
Re	Traffic modelling and Key Road Study: North Finchley and Colindale and A5 improvements	£250,000
Re	Appraisal and Technical Consultant: West Hendon, Grahame Park	£300,000
Re	Property Consultancy Services: Brent Cross Cricklewood Scheme	£120,000
Re	Design Consultant and Architect : Brent Cross Cricklewood Scheme	£100,000
Re	Planning, Environment and Transport specialists: Brent Cross Cricklewood Scheme	£100,000
Re	Project and Cost Consultant: Brent Cross Cricklewood Scheme	£200,000
Re	Outer London Fund Cricklewood visual merchandising and festive lights	£75,000
Re	Cricklewood Pocket Park implementation	£30,000
Re	Places & People: Cricklewood Outer London Fund	£115,000
Re	Business Consultant: Outer London Fund North Finchley	£52,000
Re	Project Manager: West Hendon, Grahame Park and Dollis Valley	£600,000
Re	Masterplan: Grahame Park	£150,000
Re	Technical advice: Mill Hill Business Plan	£220,000
Re	Drainage Specialist Consultant	£75,000
Re	Colindale Open Space improvements	£100,000
Re	Competitive Dialogue support: Dollis Valley Partner	£25,000
Re	Grand Arcade pop-up shops scheme (service charge & rates, signage) Outer London Fund: North Finchley	£110,000
Re	Outer London Fund Arts depot tower and projector, MODA collection, Team grant, artwork, signage, artist mini competition: North Finchley Project	£185,000
Re	Work Finder Project	500,000
Re	Young Entrepreneurs in Barnet training	135,000

Re	New Housing Development Independent and Design Certifier	£220,000
Re	Weather Forecast and Station Service	£125,000
Re	Outer London Fund Playful wayfinding feature	£200,000
Re	Energy Strategy	£150,000
Re	Supply of Climate and Thermal Energy	£360,000
Re	Outer London Fund Hanging Baskets	£40,000
Re	Outer London Fund New Trees, Guard Rails and After Care	£330,000
Re	Outer London Fund Maintenance of Street Furniture	£80,000
Re	Outer London Fund Public Realm Design	£125,000
Re	Independent Tenant Advisors	£840,000
Re	Market Test Commission	£50,000
Re	Valuations and Land Transfers Specialist	£100,000
Re	HAMS Consultants	£70,000
Re	Planning Enforcement requirements	£150,000
Re	Planning Register Hosting and Scanning Service	£35,000
Re	Planning Viability Assessments	£30,000
Re	Highways Staff Training	£30,000
Re	Highways Planned Maintenance and Improvements (including machine laid surfacing)	£30,000,000
Re	Highways Responsive Maintenance and Road Resurfacing	£8,750,000
Re	Highway Condition Surveys	£150,000
Re	Compulsory Purchase Orders Legal Advisors	£850,000
Re	Legal Advice including S106	£435,000
Re	Local Asset Backed Vehicle Proposal: Legal Support for Granville Road / other potential sites	£160,000
Re	Legal Advisor: Brent Cross development	£1,000,000
Re	Validation and publishing of calibrated results	£25,000
Re	Coring and core testing	£170,000
Environmental Health	Greater London Authority Mayors clean air fund air quality project	£260,000
Environmental Health	Air quality Monitoring station validation of data and repair and maintenance	£15,000
Environmental Health	Pest control treatment supplies and equipment	£15,000
Environmental Health	Statutory Works in Default for renovations, maintenance and adaptations	£3,000,000
Environmental Health	Works in default (Building maintenance)	£25,000
Environmental Health	Surveying assistance for work in default, self-funders, empty property renovation works, disabled adaptations, minor works grants, security improvements planning and building control applications.	£1,700,000
Environmental Health	Lifts and hoists	£230,000
Environmental Health	Care & Repair Service	£100,000
Re	Cemetery/ Crematorium: service and maintenance of machinery, equipment and grounds, including cleaning, PPE clothing, materials, graves, plaques, tablets and accessories	£600,000

Re	Cemetery / Crematorium: Professional membership and suppliers of training	£60,000
Re	Cemetery / Crematorium: CDM co-ordinator services for cremator	£10,000
Re	Cemetery/ Crematorium: utilities, water coolers and post	£160,000
Commissioning Group	Specialist and technical support for client function	£400,000
Children's Service	Children's Service Capital Modernisation Programme	£3,505,000
Children's Service	Children's Service Voluntary Support	£250,000
Children's Service	Halal Frozen Food	£220,000
Children's Service	Kosher Meat	£250,000
Children's Service	Kosher Groceries	£300,000
Children's Service	Jewish Supervision	£160,000
Children's Service	Kosher Vegetarian Frozen Food	£120,000
Children's Service	Kosher Bread	£80,000
Children's Service	Kosher Frozen Food	£60,000
Children's Service	Protective Clothing	£25,000
Children's Service	Youth Homelessness Support (extension)	£540,000
Children's Service	Domestic Violence Services (extension)	£660,000
Children's Service	Short Breaks (extension)	£1,100,000
Children's Service	Children Adolescent Mental Health Service (extension)	£500,000
Children's Service	Looked After Children Residential Placements	£315,000
Children's Service	Looked After Children External Fostering Placements	£210,000
Children's Service	Parent and Child Placement	£420,000
Children's Service	Semi Independent Provision	£185,000
Children's Service	SEN Case/Tribunal Advice and Support	£60,000
Children's Service	Care Leavers Emergency Furniture	£25,000
Children's Service	Family Support and Early Intervention Service	£1,315,180
Adults Social Services	Winter programme pressures	£450,000
Adults Social Services	Community and Home Support	£1,500,000
Adults Social Services	Meals on Wheels (Extension)	£500,000
Adults Social Services	Peer Support Brokerage	£330,000
Adults Social Services	Transport Escorts	£250,000
Adults Social Services	Early Intervention and Prevention Community Coaches (variation)	£107,000