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**Democratic Services Section
Legal and Civic Services Department
Belfast City Council
City Hall
Belfast
BT1 5GS**

22nd January, 2025

MEETING OF STRATEGIC POLICY AND RESOURCES COMMITTEE

Dear Alderman/Councillor,

In addition to those matters previously notified to you, the following items will also be considered at the meeting to be held at 9.30 am on Friday, 24th January, 2025.

Yours faithfully,

John Walsh

Chief Executive

AGENDA:

2. Restricted Items

- (h) Newington Football Club (Pages 1 - 4)
- (i) Update on External Funding – UK Shared Prosperity Fund and proposed approach to recouped capital funds (Pages 5 - 8)
- (j) Crematorium Fees (Pages 9 - 12)

7. Finance, Procurement and Performance

- (a) Contracts Update (Pages 13 - 22)

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By virtue of paragraph(s) 3 of Part 1 of Schedule 6
of the Local Government Act (Northern Ireland) 2014.

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Subject:	Contracts Update
Date:	24 January 2025
Reporting Officer:	Sharon McNicholl Deputy Chief Executive / Director of Corporate Services
Contact Officer:	Noleen Bohill, Head of Commercial and Procurement Services

Restricted Reports									
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>								
<p>Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.</p> <p>Insert number <input style="width: 30px; height: 20px;" type="text"/></p> <ol style="list-style-type: none"> 1. Information relating to any individual 2. Information likely to reveal the identity of an individual 3. Information relating to the financial or business affairs of any particular person (including the council holding that information) 4. Information in connection with any labour relations matter 5. Information in relation to which a claim to legal professional privilege could be maintained 6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction 7. Information on any action in relation to the prevention, investigation or prosecution of crime 									
<p>If Yes, when will the report become unrestricted?</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 70%;">After Committee Decision</td> <td style="width: 5%; text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>After Council Decision</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Sometime in the future</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Never</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>		After Committee Decision	<input type="checkbox"/>	After Council Decision	<input type="checkbox"/>	Sometime in the future	<input type="checkbox"/>	Never	<input type="checkbox"/>
After Committee Decision	<input type="checkbox"/>								
After Council Decision	<input type="checkbox"/>								
Sometime in the future	<input type="checkbox"/>								
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Call-in	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

1.0	Purpose of Report or Summary of main Issues
	<p>The purpose of this report is to:</p> <ul style="list-style-type: none"> • Seek approval from members for tenders, contract modifications to contract term and Single Tender Actions (STA) over £30,000 <p>And to ask members to</p> <ul style="list-style-type: none"> • Note retrospective Single Tender Actions (STAs) • Note the process improvements recommended to Chief Management Team (CMT), following member feedback related to approval of retrospective STAs at SP&R December 2024.
2.0	Recommendations
	<p>The Committee is asked to:</p> <ul style="list-style-type: none"> • Approve the public advertisement of tenders as per Standing Order 37a detailed in Appendix 1 (Table 1) • Approve the award of STAs in line with Standing Order 55 exceptions as detailed in Appendix 1 (Table 2) • Approve the modification of the contract as per Standing Order 37a detailed in Appendix 1 (Table 3) • Note the process changes detailed in Section 6.0 Procurement Governance – retrospective STAs
3.0	Competitive Tenders
	<p>Section 2.5 of the Scheme of Delegation states Chief Officers have delegated authority to authorise a contract for the procurement of goods, services or works over the statutory limit of £30,000 following a tender exercise where the council has approved the invitation to tender.</p> <p>Standing Order 60(a) states any contract that exceeds the statutory amount (currently £30,000) shall be made under the Corporate Seal. Under Standing Order 51(b) the Corporate Seal can only be affixed when there is a resolution of the Council.</p> <p>Standing Order 54 states that every contract shall comply with the relevant requirements of national and European legislation.</p> <p>The Committee is asked to approve the public advertisement of tenders as per Standing Order 37a detailed in Appendix 1 (Table 1).</p>

4.0	Single Tender Actions (STAs)
	<p>The Council’s current Single Tender Action (STA) process, which has been in place since 2020, provides assurance that the Council continues to comply with its obligations under the Public Contracts Regulations 2015 ‘PCRs’ and internal governance arrangements including required controls and approvals. It mirrors the PCRs setting out the exceptional and specific circumstances when a STA can be used (see STA/ Direct Award Reasons Table in Appendix 1).</p> <p>To support Officers understanding and to build capability CPS also offer STA Process training on a regular basis.</p> <p>In line with Standing Order 55 the Committee is asked to approve the award of the following STAs:</p> <ul style="list-style-type: none"> • Contract for up to £78,818, for up to 3 years, awarded to Service Level Management Ltd, for Publisure annual license. Publisure provides a secure email and consolidation platform (including test/backup server). Service Level Management Ltd are the only supplier who provide Publisure. • Contract for up to £40,000, for up to 10 months, awarded to Festival of Fools, for Belfast Maritime Festival. The ‘Festival of Fools’ brand has an established brand identity with exclusive rights that will complement the ‘Belfast Maritime Festival’ and enhance the visitor experience. • Contract for up to £63,489, for up to 1 year, awarded to Softworks Limited for provision of the Clockwise system. The replacement HR/payroll/time management system is in implementation stage and continued use of Clockwise is required. Softworks Ltd are the only supplier who provide Clockwise. • Contract for up to £197,828, for up to 2 years, awarded to Civica for the provision of a case management solution. There is no other supplier who can offer the license and support requirements for this case management solution. 2 year STA is required to ensure continuity of service whilst a comprehensive procurement exercise is conducted for a new case management solution. <p>Further details on these STAs are set out in Appendix 1 (Table 2).</p>
5.0	Modification to Contract
	<p>The Committee is asked to approve the following modification of the contract as per Standing Order 37a:</p>

- Up to an additional 3 months and £40,000, awarded to Cromwell Polythene Limited for the supply and delivery of paper and plastic sacks (T2014). A 3 month extension of existing contract to help facilitate a re-tender exercise. Work is underway on the re-tender exercise with a pre-market engagement exercise started to help with specification revisions and address current supply performance issues.
- Up to an additional 4 months and £30,000, awarded to R D Mechanical Services Ltd for the supply and delivery of mechanical sweeper brushes (T1978). A contract modification is required to allow for a new tender process to be completed. Work is underway to review and update the current specification in line with departmental requirements. Note - Reporting retrospectively.
- Up to additional 2 months and £3,000 income based, awarded to USEL for the provision of catering at the Stables Café at (T1998). The evaluation of the replacement tender is underway and a 2 month contract extension is required to ensure continuity of service and sufficient time for potential handover to a new service provider (depending on the outcome of the evaluation process).

Further details on these contract modifications are set out in Appendix 1 (**Table 3**).

6.0 Procurement Governance (retrospective STAs)

The Councils' Procurement Governance Framework has been continually improved over the last 5 years since the re-constituting of the Commercial and Procurement Service team. Governance introduced is based on legislative requirements, policy requirements and best practice procurement. Our governance approach prioritises meaningful compliance over routine box checking, ensuring comprehensive oversight even under time constraints. This governance, including putting in place Single Tender Action (STA) contracts, ensures we have security of supply, agreed rates, and formal terms and conditions of contract.

In consideration of feedback given by Members at SP&R Committee on Friday 13th December 2024, CPS reviewed governance arrangements, specifically processes that could be impacted in the scenario that SP&R reject or query an item submitted for approval in the monthly Contracts Report and recommended the following process improvements to CMT.

Competitive Tenders

When Members request additional information or options on procurement activity, Chief Officers will respond promptly. Responses will include the existing provisions end date and outline any interim requirements, such as a STA contract, to ensure continuity of service as well as compliance with Delegated Authority.

STAs / Retrospective STAs

In line with Standing Orders – 56. Exceptions, Chief Officers have been reminded of the need to comply with the Councils' STA process and that a retrospective STA contract must not be entered into without approval from the Chair of SP&R ahead of the upcoming committee meeting.

Going forward, for requests involving retrospective STAs, CPS will submit two separate requests:

- One addressing the retrospective period
- Another seeking approval for the upcoming contract period

For example, if a STA is requested for a 6 month period, of which 2 months will already have passed prior to Members receiving the request, CPS will submit 2 separate requests, one to note the retrospective aspect and a separate STA seeking approval for the upcoming period.

Pipeline planning

To evaluate whether service needs could be met through enhanced in-house capacity versus external contracts, Chief Officers will:

- Identify upcoming relevant contracts using the Monthly RAG Report or the Tender Pipeline.
- Seek timely SP&R approval for relevant contracts to allow for Member queries.

Pest Control Services (SP&R Meeting Friday 13th December)

A separate paper is being brought to Committee today with respect to the future provision of pest control services.

To clarify the arrangement brought to the Committee on 13th December, i.e. on-going provision with a pest control supplier for a further six months; the amount stated in the report relates to a maximum possible spend which can be terminated at any stage. Should service not be required whether as a result of a service delivery decision or by Committee direction, spend would not be incurred.

7.0 STA and Contracts <£30k Reporting

At SP&R in October 23 the Committee agreed that 'the quarterly finance report should, in future, include information on expenditure on Single Tender Actions and on the number and value of contracts under £30,000'.

Information on expenditure broken down by individual STA contract records is not readily available from the Council's current financial system.

However, CPS centrally record the number and maximum total value of STA contract records. Quarter 3 2024/25 is provided below:

STAs awarded FY 24/25 Qtr 3

Number of STA contracts	Total value of STA contracts
29	£482,132

Records for contracts (including title; supplier name; value; duration etc) valued below £30,000 are not centrally held by CPS and are maintained on departmental registers. Below is a quarterly return by all departments on contracts awarded valued below £30,000 during FY 24/25 Qtr 3.

Contracts <£30k awarded FY 24/25 Qtr 3

Number of <£30k contracts	Total value of <£30k contracts
30	£534,612.60

8.0	Financial & Resource Implications
	The financial resources for these contracts are within approved corporate or departmental budgets
9.0	Equality or Good Relations Implications / Rural Needs Assessment
	None
10.0	Appendices – Documents Attached
	<p>Appendix 1</p> <ul style="list-style-type: none"> • Table 1 - Competitive Tenders • Table 2 – Single Tender Actions • Table 3 – Modification to Contract

Table 1: Competitive Tenders

Title of Tender	Proposed Contract Duration	Est. Max Contract Value	SRO	Short description of goods / services
Soft floor coverings including installation and repair services	Up to 5 years	£500,000	S Grimes	Recurring measured term contract to ensure soft floor coverings continue to meet standards across the Council estate. Specialist service.
Swimming pool filtration and ozone generator installations including callouts, repairs and planned maintenance	Up to 5 years	£2,300,000	S Grimes	Recurring measured term contract to ensure swimming pool filtration and ozone generator installations remain operational across the Council estate. Specialist service
Asbestos analyst services including inspection, testing and certification	Up to 5 years	£125,000	S Grimes	Statutory duty to manage asbestos containing materials across the Council estate. Specialist service.
Small tools contract	Up to 3 years	£36,000	S Leonard	Operational requirement to ensure all tools within the Fleet Management Unit are regularly inspected and repaired/replaced as required.
Strategic support programme for the VCSE Sectoral Advisory Panel and citywide network	Up to 4 years	£120,000	J Tully	The VCSE Panel plays an important role in driving the Belfast Agenda forward through articulating the voice of VCSE sectors in strategic planning; supporting the development of cross-sectoral relationships and improved partnership working and promoting ongoing and effective community engagement. Specialist support required.
Asylum Support and Community Link Advisor Project	Up to 2 years	£170,000	D Sales	To support services to asylum seekers
Asylum Support and Organisational Development and Capacity Programme	Up to 1 year	£100,000	J Girvan	To support organisations providing services to asylum seekers

Appendix 1

Traffic management services at Council events and emergency works related to dangerous buildings	Up to 2 years	£200,000	D Martin	To support the delivery of large-scale BCC led public events that require traffic management provision to close roads, manage traffic and when applicable give access to public transport. Building control also have a requirement for this service and will utilise this contract in respect of traffic management around emergency works. Specialist service.
Receipt, stock control and delivery of waste containers	Up to 4 years	£780,000	D Sales	To support waste management operations with the supply of waste containers to households for recycling.
Procurement of external Security Operations Centre (SOC) Services to augment the security team in Digital Services Previously approved Dec 2024 for 3 years at £500,000. Duration and value updated following review.	Up to 5 years	£1,000,000	S McNicholl	There is an increasing risk of a serious cyber security attack or a significant data breach that cannot be managed by the security team in Digital Services. This has the potential to severely disrupt the operational delivery of all council services for a sustained period.

Table 2: Single Tender Actions

Title	Duration	Est. Max Contract Value	SRO	Description	Supplier	STA Reason
Publisure Annual License	Up to 3 years	£78,818	P Gribben	Publisure provides a secure email and consolidation platform (including test/backup server). Service Level Management Ltd are the only supplier who provide Publisure.	Service Level Management Ltd	3. Technical reasons
Belfast Maritime Festival presents 'Festival of Fools.'	Up to 10 months	£40,000	D Martin	The 'Festival of Fools' brand has an established brand identity with exclusive rights that will complement the 'Belfast Maritime Festival' and enhance the visitor experience.	Festival of Fools	4. Intellectual property

Appendix 1

Provision of Clockwise System	Up to 1 year	£63,489	P Gribben	The replacement HR/payroll/time management system is in implementation stage and continued use of Clockworks is required. Softworks Ltd are the only supplier who provide Clockworks.	Softworks Limited	3. Technical reasons
Provision of a Case Management Solution for C&NS	Up 2 years	£197,828	S McNicholl	There is no other supplier who can offer the license and support requirements for this case management solution. 2 year STA is required to ensure continuity of service whilst a comprehensive procurement exercise is conducted for a new case management solution.	Civica	3. Technical reasons

Table 3: Modification to Contract

Title of Contract	Original Contract Duration & Value	Modification	SRO	Description	Supplier
T2014 – supply and delivery of paper and plastic sacks	Up to 4 years & £620k	Additional 3 months and £40,000	S Grimes	3-month extension of existing contract to help facilitate a re-tender exercise. Work is underway on the re-tender exercise with a pre-market engagement exercise started to help with specification revisions and address current supply performance issues.	Cromwell Polythene Limited
T1978 – supply and delivery of mechanical sweeper brushes Reporting Retrospectively	Up to 4 years & £410k	Additional 4 months and £30,000	D Sales	A contract modification is required to allow for a new tender process to be completed. Work is underway to review and update the current specification in line with departmental requirements.	R D Mechanical Services Ltd

Appendix 1

T1998 (3) - Provision of catering at the Stables Café.	Up to 61 months (Income based contract)	Up to 2 months	S Leonard	The evaluation of the replacement tender is underway and a 2 month contract extension is required to ensure continuity of service and sufficient time for potential handover to a new service provider (depending on the outcome of the evaluation process).	USEL
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STA/ Direct Award Reasons

Reason Code	Reasons in line with Public Contract Regulations
1	No response following advertised procurement exercise
2	Creation or acquisition of a unique work of art or artistic performance
3	Competition is absent for technical reasons (no reasonable substitute exists)
4	The protection of exclusive rights, including intellectual property rights
5	Extreme urgency brought about by events unforeseeable by BCC, the time limits for a procurement cannot be complied with.
6	Products manufactured purely for the purpose of research, experimentation, study or development
7	Additional deliveries which are intended either as a partial or extended replacement of supplies or installations where a change of supplier would result in supplies of different technical characteristics causing incompatibility or disproportionate technical difficulties in operation and maintenance
8	Supplies quoted and purchased on a commodity market
9	Supplies or services on particularly time-limited advantageous terms e.g. supplier winding up its business activities
10	New works and services consisting of the repetition of similar works or services, provided that the possibility of a direct award is disclosed during the original tender process
11	Other – Reason not in line with Public Contract Regulations (PCR 2015)