



<b>Subject:</b>	<b>Update on Contracts</b>
<b>Date:</b>	23rd September, 2022
<b>Reporting Officer:</b>	Ronan Cregan, Deputy Chief Executive and Director of Finance and Resources
<b>Contact Officer:</b>	Noleen Bohill, Head of Commercial and Procurement Services

<b>Restricted Reports</b>	
<b>Is this report restricted?</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>If Yes, when will the report become unrestricted?</b>	
<b>After Committee Decision</b>	<input type="checkbox"/>
<b>After Council Decision</b>	<input type="checkbox"/>
<b>Sometime in the future</b>	<input type="checkbox"/>
<b>Never</b>	<input type="checkbox"/>

<b>Call-in</b>	
<b>Is the decision eligible for Call-in?</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report/Summary of Main Issues</b>
1.1	<p>The purpose of this report is to:</p> <ul style="list-style-type: none"> <li>• Seek Committee approval for tenders and Single Tender Actions (STA) over £30,000; and</li> <li>• to ask the Committee to note contract modifications to contract term and retrospective Single Tender Actions (STAs)</li> </ul>
<b>2.0</b>	<b>Recommendations</b>
2.1	<p>The Committee is asked to:</p> <ol style="list-style-type: none"> <li>i. approve the public advertisement of tenders as per Standing Order 37a detailed in Appendix 1 (<b>Table 1</b>);</li> <li>ii. approve the award of STAs in line with Standing Order 55 exceptions as detailed in Appendix 1 (<b>Table 2</b>);</li> <li>iii. approve the modification of the contract as per Standing Order 37a detailed in Appendix 1 (<b>Table 3</b>); and</li> </ol>

	iv. note the award of retrospective STAs in line with Standing Order 55 exceptions as detailed in Appendix 1 ( <b>Table 4</b> )
<b>3.0</b>	<b>Main Report</b>
	<u>Competitive Tenders</u>
3.1	Section 2.5 of the Scheme of Delegation states that 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.
3.2	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.
3.3	Standing Order 54 states that every contract shall comply with the relevant requirements of national and European legislation.
	<u>Single Tender Actions (STAs)</u>
3.4	<p>The following STAs are being submitted for approval:</p> <ul style="list-style-type: none"> <li>• a contract for £40,000, for up to 4 years, awarded to FIAT Donnelly Group for procurement of Fiat Original Equipment Manufacturer (OEM) approved parts and components, warranty support and specialist repairs ensuring they are safe and road worthy as part of Council fleet. Therefore, ensuring that parts and components are replaced and fitted in keeping with the manufacturer warranty, operational safety terms and conditions. The supplier has the sole distributor rights for these OEM parts and services for Northern Ireland and therefore the only suitable supplier.</li> <li>• A contract for £60,000, for up to 4 years, awarded to Mercedes Benz Truck &amp; Van, for procurement of Mercedes Benz Original Equipment Manufacturer (OEM) approved parts and components, warranty support and specialist repairs ensuring they are safe and road worthy as part of Council fleet. Therefore, ensuring that parts and components are replaced and fitted in keeping with the manufacturer warranty, operational safety terms and conditions. The supplier has the sole distributor rights for these OEM parts and services for Northern Ireland and is, therefore, the only suitable supplier.</li> <li>• a contract for £180,000 (fully funded), for up to 6 months, awarded to Energy Systems Catapult, for procurement of a Local Area Energy Plan 'LAEP' for Belfast and Queens Island. The LAEP approach is bespoke to Energy Systems Catapult. Energy Systems Catapult is the only supplier in the market who has the experience, knowledge, and</li> </ul>

capability to provide this service. The STA was approved in August for £110,000 but an additional £70,000 funding has become available. The contract is not yet awarded.

3.5 The following retrospective STAs were awarded:

- an increase in contract value of previously approved STA from £60,000 to £100,000. STA (T2286) for the provision of largescale outdoor event for 2 months was awarded to Belfast International Arts Festival in April 2022. The STA was agreed in line with Service Level Agreement with Tourism NI which named Belfast International Arts Festival as the supplier of exclusive artistic product. This STA was originally approved for a total value of £60,000; however, this only included first staged payment. The total contract value/spend has been confirmed as £100,000.

Modification to Contract term

3.6 The following contract terms were modified:

- a 3-month extension and an increase in contract value by £10,000 for contract T1795 - Provision of portorage services, awarded to Delivery Services and Storage Ltd. A modification is required to extend the current contract whilst the new tender process is carried out.
- a 2-month extension and an increase in contract value by £75,000 for T1846 - Collection and treatment of mixed waste materials (timber and hard plastics), awarded to MacNabb Bros and R Heatrick Ltd. The extension is required to bring the contract period into line with the expiry dates of other waste disposal/recycling contracts for plasterboard and paints and varnishes which expire on 30<sup>th</sup> November 2022. The new tender will include all waste streams using 4 lots to maximise economies of scale.
- a 2-month extension for contract T1990 (b) - Cinematography for PEACE IV programme services, awarded to Morrow Communications. A modification is required to extend the current contract to facilitate the completion of the project.
- a 2-month extension for contract T1858 - PEACE IV – Supporting Connected Communities project, awarded to NI Alternatives. A modification is required to extend the current contract to facilitate the completion of the project.

	<b>Financial and Resource Implications</b>
3.7	The financial resources for these contracts are within approved corporate or departmental budgets
	<b>Equality or Good Relations Implications / Rural Needs Assessment</b>
3.8	None
<b>4.0</b>	<b>Documents Attached</b>
	<p>Appendix 1</p> <p>Table 1 - Competitive Tenders</p> <p>Table 2 - Single Tender Actions</p> <p>Table 3 - Modification to Contract</p> <p>Table 4 - Retrospective Single Tender Actions</p>