



Subject:	Update on Contracts
Date:	24th November, 2023
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"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Sometime in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

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

1.0	Purpose of Report/Summary of Main Issues
1.1	<p>The purpose of this report is to:</p> <ul style="list-style-type: none"> Seek approval from the Committee for tenders and Single Tender Actions (STA) over £30,000 <p>And to ask the Committee to:</p> <ul style="list-style-type: none"> note contract modifications to contract term and retrospective Single Tender Actions (STAs); note an update on quarterly reporting on STAs and Contracts <£30k – see section 6.0 of this report; and advise if CPS should arrange condensed training for Members via Teams to talk through the STA process and guidance provided to officers.

2.0	Recommendations
2.1	<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); and • approve the modification of the contract as per Standing Order 37a detailed in Appendix 1 (Table 3)
3.0	Competitive Tenders
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 that 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.
3.4	The Committee is asked to approve the public advertisement of tenders, as per Standing Order 37a, detailed in Appendix 1 (Table 1)
	Single Tender Actions (STAs)
3.5	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).
3.6	To support officers' understanding and to build capability CPS also offer STA Process training on a regular basis. To date, 89 officers have been trained.
3.7	CPS would welcome the opportunity to take Members through this STA process.
3.8	In line with Standing Order 55, the following STAs are being submitted for approval:

3.9	<ul style="list-style-type: none"> • a contract for up to £73,000 for up to 2 year, awarded to Bravosolutions UK Ltd, for the support and maintenance of E-Bravo tendering solution. Annual license for the continued use of E-Bravo until new Finance system is in place. Bravosolutions UK Ltd are the only supplier of the current platform and associated licences/software; • a contract for up to £210,000, for up to 3 years, awarded to Belfast Tradfest (a Social Enterprise) for the provision of a city centre weekend music programme as part of the overall St Patrick’s day celebrations. A formal tender process was carried out which resulted in a NIL return. A direct award is being made to a local social enterprise who has experience in delivering musical festivals; and • a contract for up to £36,000, for up to 3 years, awarded to Kinetics Solution for the booking system for Belfast Castle (BC) and Malone House (MH). Continued use of the booking system at BC and MH until a replacement system can be procured. Based on current programme of work within Digital Services, capital investment required and associated planning required it is unlikely this would be actioned until 2 to 3 years. Kinetic Solutions are the only supplier of the current booking system and associated licences/software. <p>Further details on these STAs is set out in Appendix 1 (Table 2) including the reason selected to support justification of each STA.</p>
	Modification to Contract
3.10	<p>The Committee is asked to approve the following modification of the contract as per Standing Order 37a:</p> <ul style="list-style-type: none"> • Up to an additional 4 months, for Contract T2335 Procurement of a Local Area Energy Plan for Belfast and Queens Island (Fully funded), awarded to Energy Systems Catapult. Requesting a 4 month extension of contract period up to 31 March 2024 to due to implementation delay. No additional expenditure.
3.11	Further details on this contract modification is set out in Appendix 1 (Table 3).
	STA and Contracts <£30k Reporting
3.12	The Committee, at its meeting on 20th October, 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'.

3.13	Information on expenditure broken down by individual STA contract records is not readily available from the Council's current financial system.																																				
3.14	However, CPS centrally records the number and maximum total value of STA contract records that are approved by the SP and R Committee. Quarter 2 2023/24 is provided below as a sample:																																				
	<table border="1"> <thead> <tr> <th colspan="4"><i>FY 23/24 Qtr 2</i></th> </tr> <tr> <th>Type of Contract</th> <th>No.</th> <th>Maximum total contract value</th> <th>Average Contract Value</th> </tr> </thead> <tbody> <tr> <td>Retrospective Single Tender Actions</td> <td>7</td> <td>£355,476.11</td> <td>£50,782.30</td> </tr> <tr> <td>Over £30,000</td> <td>5</td> <td>£339,476.11</td> <td>£67,895.22</td> </tr> <tr> <td>Under £30,000</td> <td>2</td> <td>£16,000.00</td> <td>£8,000.00</td> </tr> <tr> <td>Single Tender Actions</td> <td>26</td> <td>£939,027.99</td> <td>£36,116.46</td> </tr> <tr> <td>Over £30,000</td> <td>8</td> <td>£653,100.00</td> <td>£81,637.50</td> </tr> <tr> <td>Under £30,000</td> <td>18</td> <td>£285,927.99</td> <td>£15,884.89</td> </tr> <tr> <td>Grand Total</td> <td>33</td> <td>£1,294,504.10</td> <td>£39,227.40</td> </tr> </tbody> </table>	<i>FY 23/24 Qtr 2</i>				Type of Contract	No.	Maximum total contract value	Average Contract Value	Retrospective Single Tender Actions	7	£355,476.11	£50,782.30	Over £30,000	5	£339,476.11	£67,895.22	Under £30,000	2	£16,000.00	£8,000.00	Single Tender Actions	26	£939,027.99	£36,116.46	Over £30,000	8	£653,100.00	£81,637.50	Under £30,000	18	£285,927.99	£15,884.89	Grand Total	33	£1,294,504.10	£39,227.40
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3.15	Similarly, records for contracts (including title; supplier name; value; duration etc) valued below £30,000 are not centrally held. These records are maintained on Departmental registers.																																				
3.16	CPS recently sought an annual return on this information for contracts awarded during 2022/23. The returns provided have been incorporated into the first Annual Procurement Report, which is planned for issue to the SP and R Committee in Q4.																																				
	Financial and Resource Implications																																				
3.17	The financial resources for these contracts are within approved corporate or departmental budgets																																				
	Equality or Good Relations Implications / Rural Needs Assessment																																				
3.18	None																																				
4.0	Documents Attached																																				
	Appendix 1 Table 1 - Competitive Tenders Table 2 - Single Tender Actions Table 3 - Modification to Contract																																				