



<b>Subject:</b>	Contracts Update
<b>Date:</b>	23 <sup>rd</sup> February 2024
<b>Reporting Officer:</b>	Sharon McNicholl, Deputy Chief Executive and Director of Corporate Services
<b>Contact Officer:</b>	Noleen Bohill, Head of Commercial and Procurement Services

<b>Restricted Reports</b>	
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"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

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

<b>1.0</b>	<b>Purpose of Report or Summary of main Issues</b>
1.	<p>The purpose of this report is to:</p> <ul style="list-style-type: none"> <li>Seek approval from members for tenders and Single Tender Actions (STA) over £30,000</li> </ul> <p>And to ask members to</p> <ul style="list-style-type: none"> <li>Note contract modifications to contract term and the award of retrospective STAs</li> </ul>
<b>2.0</b>	<b>Recommendations</b>
2.1	<p>The Committee is asked to:</p> <ul style="list-style-type: none"> <li>Approve the public advertisement of tenders as per Standing Order 37a detailed in Appendix 1 (Table 1)</li> <li>Approve the award of STAs in line with Standing Order 55 exceptions as detailed in Appendix 1 (Table 2)</li> </ul>

	<ul style="list-style-type: none"> <li>• Approve the modification of the contract as per Standing Order 37a detailed in Appendix 1 (Table 3)</li> <li>• Note the award of retrospective STAs in line with Standing Order 55 exceptions as detailed in Appendix 1 (Table 4)</li> </ul>
<b>3.0</b>	<b>Competitive Tenders</b>
3.1	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
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.
3.4	The Committee is asked to approve the public advertisement of tenders as per Standing Order 37a detailed in Appendix 1 ( <b>Table 1</b> )
	<b>Single Tender Actions (STAs)</b>
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.
3.7	<p>In line with Standing Order 55 the following STAs are being submitted for approval:</p> <ul style="list-style-type: none"> <li>• Contract for up to £77,700, for up to 1 year awarded to HCL Technologies Ltd. Ongoing maintenance &amp; support by supplier is required until a replacement Financial System project is complete. Go Live of new system is scheduled in Q1 of FY24/25.</li> </ul>

3.8	<ul style="list-style-type: none"> <li>• Contract for up to £100,000, for up to 2 years awarded to Royal Mail Door to Door. Distribution of City Matters Magazine as required to all residents within the Belfast City Council electoral area. This requirement was recently tendered via open competition, but no bids were received.</li> <li>• Contract for up to £1,100,000, for up to 3 years awarded to NEC Software Solutions. Continued maintenance &amp; support required for NI Housing Executive's 'NIHE' Housing Benefit system which is hosted by BCC but recharged to NIHE (fully funded). NEC are the only available service provider for maintenance and support services of this system.</li> </ul> <p>In line with Standing Order 55 the Committee is asked to note the award of the following retrospective STAs:</p> <ul style="list-style-type: none"> <li>• Contract for up to £33,600, for up to 3 years, awarded to VU.CITY for the provision of an accurate digital 3D model of the Belfast City. There is no other supplier that can offer this solution without significant duplication of resources, costs and time to build the Belfast data layers. VU.CITY already has a significant portion of city mapped, including 262,835 trees, accurate to height &amp; canopy as well as 55,594 buildings.</li> </ul> <p><b>Note</b> – this STA was approved by Committee in Aug 23 but should have been submitted as retrospective approval at the time. There have been ongoing negotiations with the supplier to finalise the terms and conditions. Retrospective STA approval is therefore requested to cover contract award from 17<sup>th</sup> May 23 for up to £33,600 and for up to 3 years.</p>
<b>Modification to Contract</b>	
3.9	<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"> <li>• Up to an additional 3 months, up to £80,000, awarded to Clive Richardson Ltd under contract T1851 for the provision of young tree maintenance, tree planting and minor horticultural works. A further 3-month extension is required to facilitate a re-tendering exercise. Tender documents being finalised and should be advertised to market in Feb 24. Delays experienced due to resourcing issues in the Department and additional work required to review and re-draft tender documents to incorporate new service requirements. Note - a previous a contract modification for a 4-month extension was previously approved by Committee in October 23.</li> <li>• Up to an additional 4 months, (£65k projected income) awarded to Avenue Recycling Ltd for the collection and recycling of scrap metal. A 4-month extension is required</li> </ul>

	<p>to facilitate a re-tendering exercise. Tender documents being finalised and should be advertised to market in March 24. Delays experienced due to heavy workload within the Department at this time.</p> <ul style="list-style-type: none"> <li>Up to an additional 9 months and £391,000, for contract for the Procurement of Public Bike Share Scheme. LOT 1: Design supply maintenance &amp; operation of the scheme. Awarded to NSL Service Group. Extension of current operator contract for a maximum of nine months to allow further work to be undertaken to define specification for tender competition for new operator contract. Given the expansion of the network, the potential to have social enterprise/co-operative involvement in the operation and the potential for the inclusion of e-bikes and accessible bikes a significantly different specification is required. It has been agreed to hold a Members Workshop to inform this.</li> </ul> <p><b>Note</b> - this was submitted to Committee in January 24 but was not approved at the time. Re-submitted for approval.</p>
	<b>Financial &amp; Resource Implications</b>
3.10	The financial resources for these contracts are within approved corporate or departmental budgets
	<b>Equality or Good Relations Implications / Rural Needs Assessment</b>
3.11	None
<b>4.0</b>	<b>Appendices – Documents Attached</b>
	Appendix 1 Table 1 - Competitive Tenders Table 2 – Single Tender Actions Table 3 – Modification to Contract Table 4 - Retrospective Single Tender Actions