



Subject:	Contracts Update
Date:	24 May 2024
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"/>
Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.	
Insert number <input type="checkbox"/>	
<ol style="list-style-type: none">1. Information relating to any individual2. Information likely to reveal the identity of an individual3. 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 matter5. Information in relation to which a claim to legal professional privilege could be maintained6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction7. Information on any action in relation to the prevention, investigation or prosecution of crime	
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 or Summary of main Issues
1.1	The purpose of this report is to:

	<ul style="list-style-type: none"> Seek approval from members for tenders and Single Tender Actions (STA) over £30,000 <p>And to ask members to</p> <ul style="list-style-type: none"> Note contract modifications to contract term and retrospective Single Tender Actions (STA)
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) Note the award of retrospective STAs in line with Standing Order 55 exceptions as detailed in Appendix 1 (Table 3) Approve the modification of the contract as per Standing Order 37a detailed in Appendix 1 (Table 4) Approve the public advertisement of tenders (Peaceplus) as per Standing Order 37a detailed in Appendix 1 (Table 5) noting current conditions set out in Section 6 of this report.
3.0	Competitive Tenders
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 (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

	<p>circumstances when a STA can be used (see STA/ Direct Award Reasons Table in Appendix 1).</p>
3.6	<p>To support Officers understanding and to build capability CPS also offer STA Process training on a regular basis.</p>
3.7	<p>In line with Standing Order 55 the following STAs are being submitted for approval:</p> <ul style="list-style-type: none"> Contract for up to £65,000, for up to 3 months, awarded to Global Elephant Care, for an elephant transfer service. Service required for the relocation of two elderly female Asian elephants, Dhunja and Yhetto, that currently reside in Belfast Zoo, while work continues on a long-term development plan for the zoo and its animal collection. Approval was granted in August 2023 by CG&R Committee to transfer the elephants to Burgers Zoo in the Netherlands. The transfer is due to take place in July 2024. The supplier is considered the only current suitable supplier to ensure the safe and secure transfer of the two elephants.
3.8	<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>
3.9	<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"> Contract for up to £45,000, for up to 3 years, awarded to Heather Martin, for Interpreting Services. A new team member is registered as deaf and is supported via the Access to Work (NI) programme for Support Worker funding from DFC which permits BCC to claim 50% of expenditure relating to interpreter services. Team member came from other post has already built a relationship with existing interpreter.
3.10	<p>Further details on these STAs is set out in Appendix 1 (Table 3) including the reason selected to support justification of each STA.</p>
	<p>Modification to Contract</p>
3.11	<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 £164,390, awarded to Cushman & Wakefield for T2135b Continuation of Consultancy Services for City Centre Residential Development.

3.12	<p>Additional fees required due to delay in commencement of procurement and greater input required for commercial advisory work under the existing contract specification. This variation has been permitted by the Crown Commercial Services ‘CCS’ framework provider. Contract modification being reported retrospectively.</p> <ul style="list-style-type: none"> Up to an additional 6 months, awarded to Café Nosh for T2422 Provision of Catering for services (retail and small to medium signed events) at Malone House. Six-month extension of contract period to facilitate market exercise for the future operation of Malone House. This is a concession contract with estimated annual gross revenue of £435,000 for the contractor (based pre-Covid figures), Of which a minimum 5% commission will be payable to BCC (£21,750). <p>Further details on these contract modifications are set out in Appendix 1 (Table 4).</p>
	PEACEPLUS
3.13	<p>Peace Plus tenders (Table 5) are subject to a letter of offer being received from SEUPB. The Council funding allocation of £15.1m has been assigned by SEUPB, although the funding application (including the Local Community Action Plan), associated with these tenders is currently under assessment. Due to the required tight timelines related with the procurement process for SEUPB funding to mobilise projects, members are requested to agree approval in principle to progress PEACEPLUS procurement exercises, subject to securing a formal approval and a letter of offer.</p>
	Financial & Resource Implications
3.14	<p>The financial resources for these contracts are within approved corporate or departmental budgets.</p>
	Equality or Good Relations Implications / Rural Needs Assessment
3.15	None
4.0	Appendices – Documents Attached
	<p>Appendix 1</p> <ul style="list-style-type: none"> Table 1 - Competitive Tenders Table 2 - Single Tender Actions Table 3 - Retrospective Single Tender Actions Table 4 - Modification to Contract Table 5 - Peace Plus Tenders