



Belfast City Council

Report to:	Shadow Strategic Policy and Resources Committee
Subject:	Tenders advanced using the extremely urgent procurement process
Date:	20 March 2015
Reporting Officer:	Gerry Millar, Director of Property and Projects Ext 6217
Contact Officer:	Donal Rogan, Head of Contracts, Ext 2460

1.0	<u>Relevant Background Information</u>
1.1	The Council Standing Orders 61, 62 and 63 determine how the council manage the procurement of its contracts. The general rule is that all procurements above the £30K threshold follow the UK and EU legislative requirements.
1.2	Article 62 of the Standing Orders sets out how exceptions to this process should be managed. There are three exceptions allowed for within Article 62 of the standing orders where contracts can be entered into without following the legislation route. They are; <ul style="list-style-type: none"> a) By direction of the council b) In cases of extreme urgency c) Purchases through an auction
1.3	In cases of extreme urgency a Chief Officer must certify that this is the case provided that they have first consulted the Chairman of the appropriate Committee and the Director Of Corporate Services (now taken as the Director of Finance and Resources) and that the action is subsequently reported to the next meeting of that committee.
2.0	<u>Key Issues</u>
2.1	There have been three such extreme urgent cases in the last month. On each occasion a Chief Officer certified that the procurement was of extreme urgency and having consulted the Chairman of Strategic Policy and Resources and the director of Finances the procurements were advanced.
2.2	All of these procurement exercises have been below the EU threshold limits and are as set out below.
2.2	The Council has approved the creation of a Director of Planning post to ensure that the necessary strategic direction and leadership is in place to deliver the new Planning function post 1 st April 2015 and a recruitment exercise is complete. Should this recruitment exercise have failed to identify a suitable candidate to appoint to this post or of if a successful appointment is made but there is a delay in securing a timely start date for the successful candidate, It was deemed prudent to have a contingency arrangement in place to commission the services of a suitably qualified person on an interim basis to provide members with assurance they require regarding the transfer of the Planning function.
2.3	The contract for environmental works at the North Foreshore has lapsed in anticipation of the proposed Infrastructure work proceeding in conjunction with the development briefs being let for associated sites. Only when the council understand the market interest and therefore the requirement to carry out further environmental works will it fully understand the extent of any new contractual requirements. However it was deemed an urgent requirement to carry out movement of clay stockpiles which are in the vicinity of the proposed infrastructure works prior to

	commence of the works on site which have extremely tight programme to meet European Regional Development Funding requirements.
2.4	Officers required specialist tax advice relating to the land tax and stamp duty implications of the contracts associated with the council investment decision for new office accommodation.

3	Resources
	<u>Finance</u>
3.1	The financial resources for these contracts will be met within the current departmental budgets
	<u>Human Resources</u>
3.2	There are no additional human resource implications
	<u>Assets and other implications</u>
3.3	There are no asset and other implications associated with this report

4	Equality and Good Relations Implications
4.1	There are no equality implications from this report.

6	Recommendations
6.1	The Committee is recommended to: <ul style="list-style-type: none"> (i) Note the contracts as set out in above which have already been processed within the extreme urgent procedures

7	Decision Tracking
7.1	Gerry Millar, Director of Property and Projects will be responsible for ensuring the council decision is adhered to.