



NOTTINGHAM CITY COUNCIL
COMMISSIONING AND PROCUREMENT SUB-COMMITTEE

Date: Tuesday, 9 October 2018

Time: 10.00 am

Place: LH 0.06 - Loxley House, Station Street, Nottingham, NG2 3NG

Councillors are requested to attend the above meeting to transact the following business

Corporate Director for Strategy and Resources

Governance Officer: Kate Morris, Governance Officer **Direct Dial:** 01158764353

<u>AGENDA</u>	<u>Pages</u>
1 APOLOGIES	
2 DECLARATIONS OF INTERESTS	
3 MINUTES To confirm the minutes of the meeting held on 11 September 2018	3 - 10
4 BUILDING SERVICES PROCUREMENT 2018/19 - KEY DECISION Report of the Corporate Director for Commercial & Operations	11 - 26
5 CORPORATE TRAVEL AND ACCOMMODATION CONTRACT - KEY DECISION Report of the Corporate Director of Strategy and Resources and the Acting Director of Commissioning and Procurement	27 - 30

ALL ITEMS LISTED 'UNDER EXCLUSION OF THE PUBLIC' WILL BE HEARD IN PRIVATE. THEY HAVE BEEN INCLUDED ON THE AGENDA AS NO REPRESENTATIONS AGAINST HEARING THE ITEMS IN PRIVATE WERE RECEIVED

IF YOU NEED ANY ADVICE ON DECLARING AN INTEREST IN ANY ITEM ON THE AGENDA, PLEASE CONTACT THE GOVERNANCE OFFICER SHOWN ABOVE, IF POSSIBLE BEFORE THE DAY OF THE MEETING

CITIZENS ATTENDING MEETINGS ARE ASKED TO ARRIVE AT LEAST 15 MINUTES BEFORE THE START OF THE MEETING TO BE ISSUED WITH VISITOR BADGES

CITIZENS ARE ADVISED THAT THIS MEETING MAY BE RECORDED BY MEMBERS OF THE PUBLIC. ANY RECORDING OR REPORTING ON THIS MEETING SHOULD TAKE PLACE IN ACCORDANCE WITH THE COUNCIL'S POLICY ON RECORDING AND REPORTING ON PUBLIC MEETINGS, WHICH IS AVAILABLE AT WWW.NOTTINGHAMCITY.GOV.UK. INDIVIDUALS INTENDING TO RECORD THE MEETING ARE ASKED TO NOTIFY THE GOVERNANCE OFFICER SHOWN ABOVE IN ADVANCE.

NOTTINGHAM CITY COUNCIL

COMMISSIONING AND PROCUREMENT SUB-COMMITTEE

MINUTES of the meeting held at LH 0.06 - Loxley House, Station Street, Nottingham, NG2 3NG on 11 September 2018 from 10.01 am - 10.36 am

Membership

Present

Absent

Councillor Graham Chapman (Chair)

Councillor David Mellen

Councillor Toby Neal (Vice Chair) (from item 21 onwards)

Councillor Dave Trimble

Councillor Sam Webster (from item 21 onwards)

Colleagues, partners and others in attendance:

- | | |
|------------------|--|
| Wayne Bexton | - Head of Energy Services |
| Paul Burrows | - IT Change, Projects & Strategy Manager |
| Lucy Lee | - Head of Customer Services |
| Peter Morley | - Commissioning Manager |
| Kate Morris | - Governance Officer |
| Christine Oliver | - Head of Commissioning |
| Simon Salmon | - Head of Service (IT) |

Call-in

Unless stated otherwise, all decisions are subject to call-in. The last date for call-in is 21st September 2018. Decisions cannot be implemented until the working day after this date.

16 APOLOGIES

Jules Sebelin – Nottingham Community and Voluntary Sector Representative.

17 DECLARATIONS OF INTERESTS

None.

18 MINUTES

The minutes of the meeting held on 10 July 2018 were confirmed as a true record and signed by the Chair.

19 COMMUNITY AND VOLUNTARY SECTOR UPDATE

An update document was submitted by Jules Sebelin Business Manager at Nottingham Community and Voluntary Services and is appended to these minutes.

RESOLVED to note the content of the update document

20 PURCHASE OF MICROSOFT LICENCES - KEY DECISION

Simon Salmon, Head of Service (IT) presented a report on the Purchase of Microsoft Licences to the Sub Committee. During discussion it was highlighted that Microsoft are altering the costs of licenses as well as altering discounts previously available. This has led the Council to pursue a three year “locked in” price for licences up to 2021/22.

RESOLVED to:

- (1) Delegate authority to the Head of Service (IT) to enter into contracts up to the value of £1,300,000 per annum using an approved established procurement framework to purchase software licences from financial years 2019/20 to 2021/22;**
- (2) Authorise the Head of Services (IT) to enter into discussion with Microsoft and their product supplier to obtain the opportunity to committee in advance to the procurement of software licences for financial years 2019/20 to 2021/22 during the financial year 2018/19;**
- (3) Approve allocation of funding from the IT Efficiency Fund for the three year period 2019/20 to 2021/22 to purchase Microsoft software licences.**

Reasons for decision

- (1) The software licensing agreement is due to expire in Jun 2019 and needs to be renewed to allow continued use of licensed products.
- (2) Microsoft are planning to increase prices of their licences from the beginning of October 2018 and this will coincide with a change to the discounts previously offered to government bodies.
- (3) If Nottingham City Council can commit early to purchasing the licenses it may be able to “lock in” current pricing levels.
- (4) The Council undertook a third party audit in 2018 to establish the current need for licences.

Other options considered

There is the option to move away from Microsoft products and use alternative software. This has been trialled in the past within the Council and raised issues around compatibility, added cost and impacted negatively on the workforce. There would be significant cost associated with a change from Microsoft software and so for this reason this option was rejected.

The other option considered was to do nothing. The Council rely heavily on Microsoft software for the delivery of services to citizens. Without the software services provided to citizens would be impacted and the ability to work with partner organisations would be disrupted. The Council cannot meet statutory duties without the software and would be acting illegally if it were to use the software without licences. It is for these reasons that this option was rejected.

21 PROCUREMENT - TO MANAGE THE HOUSEHOLD WASTE & RECYCLING CENTRE - KEY DECISION

Wayne Buxton, Head of Energy Services presented a report on the Procurement to manage the Household Waste & Recycling Centre.

RESOLVED to:

- (1) Approve the undertaking of an EU compliant procurement for this service. This option allows the authority to fulfil both statutory obligations and secure the continued operation of the facility**
- (2) Further delegate authority to the Director of Energy Waste and Highways, to award the contract to the successful bidder, in conjunction with legal and procurement colleagues' advice.**

Reasons for decision

- (1) The Council has a statutory duty to provide a place where residents may deposit their household waste which should be open at reasonable times including at least on period on a Saturday or a Sunday. The location of the facilities and their opening hours is determined by the Council.
- (2) By entering into a competitive tendering exercise it enables the Council to ensure value for money.
- (3) Provision of accessible services ensures high levels of recycling and diversion of waste from landfill.

Other options considered

The option to insource the waste and recycling centre activity was considered. This may be possible in the longer term however it is likely to be more costly in the short term. For this reason this option was rejected.

The other option considered is to do nothing. This option was rejected outright as the Council have a statutory duty to provide the services.

22 TENDER FOR MORTUARY SERVICES - KEY DECISION

Lucy Lee, Head of Customer Services presented a report on the Tender for Mortuary Services Contract during discussion it was highlighted that Nottingham City Council run the Coronial service for city as well as for the County, costs are shared between the authorities;

RESOLVED to:

- (1) Approve the undertaking of a competitive procurement process for the re-tender of the Mortuary Services contract as outlined above;**

- (2) Delegate authority to the Director of HR & Customer to approve the outcome and award of the contract to the successful tenderer following the procurement process; the initial term of the contract will be 3 years with the option to extend for a further 2 years;**
- (3) Approve expenditure detailed in the exempt appendix following a competitive tender exercises;**
- (4) Approve the extension and expenditure associated with the existing contract until March 2019;**
- (5) Grant dispensation from Financial Regulations 3.29 and Contract Procedure Rule 5.1.2 (operational reasons) with regards to the contract extension until April 2019;**

Reasons for decision

- (1) The Local Authority is legally obliged to provide mortuary and post mortem services as required by HM Coroner. A competitive tender process will ensure a good quality and value for money provider is procured.
- (2) Extension of the existing contract allows for a continuation of services for citizens within the city and in the wider county and ensures that the Council fulfils its legal obligation.

Other options considered

The option to do nothing was rejected as this is a statutory service that the Council must provide.

23 TENDER FOR ACCREDITED HOMECARE PROVIDERS - KEY DECISION

Peter Morley, Commissioning Manager, presented a report on the Tender for Accredited Homecare Providers highlighting the following points:

- (a) There will be two accredited provider contracts, one to deliver health and social care provision funded through the City Council, with other including more complex healthcare tasks that will be funded through NHS Nottingham Clinical Commissioning Group. This will enable seamless service provision through escalation of citizens individual needs;
- (b) There is due to be a recruitment drive within the city and especially on the borders of the city to recruit more people into home care carers;

RESOLVED to:

- (1) Approve maximum spend of £63.590m to establish contracts as part of a new accreditation of homecare providers based on 2018/19 rates. Approval to spend will be through the Councils scheme of delegation for Adult Care packages;**
- (2) Approve a procurement process to establish a new accredited list of homecare providers with effect from 1st April 2019 for 4+4 years; and**

- (3) Delegate authority to the Head of Contracting and Procurement to award contracts in accordance with the outcome of the accreditation process and delegate authority to the Market Strategy and Development Manager to sign contracts;**

Reasons for decision

- (1) On 31st March the current list of accredited providers will expire. The tender process will ensure that a replace list of providers is available, with new providers and re-accredited providers returning to the list. This will ensure that there is a smooth transition and that services will remain available for citizens who need them.
- (2) An accredited list allows the Council to ensure that there is sufficient capacity to provide the services required. It will allow a range of providers to enter the market giving choice to citizens and allows smaller providers an opportunity to be active within the city.
- (3) There will be increased interagency partnership working and communication with NHS clinical Commissioning group leading to a better service provision for citizens.

Other options considered

Another option considered was to have a lead operator in each area of the city with additional support providers providing support instead of the accredited list of providers proposed in the report. This model has been trialled in the city before and lead to reduced capacity and the need for spot purchase of provision in order to provide care. This increased costs and did not allow for smooth provision of services to citizens and so was rejected.

24 CRIME & DRUG PARTNERSHIP BUDGET UPDATE 2018/19 - KEY DECISION

Christine Oliver, Head of Commissioning presented a report on the Crime and Drug Partnership Budget Update highlighting the following points:

- (a) The report initially came to the sub-committee in March with an anticipated budget and partner contributions. These contributions have now been confirmed and the budgets finalised;

RESOLVED to:

- (1) Approve the anticipated receipt and expenditure of the Public Health grant, Police and Crime Commissioner Grant, Nottingham City Council and partner contributions by the Crime and Drug Partnership in 2018/19 as set out in the exempt appendix to the published report; and**
- (2) Delegate authority to the Head of Contracting and Procurement and Head of Commissioning to allocate anticipated funds for the above expenditure and to secure best value for Nottingham citizens as set out in the exempt appendix to the published report.**

Reasons for decision

- (1) Relevant commissioning activity can continue and contract variations can progress which will allow for continued service provision meeting identified local need.
- (2) Funding contributions from partner agencies can be allocated and utilised in an appropriate way, and in accordance with the correct legislation.

Other options considered

Another option available would be to cancel the provision of services provided by these funding streams. This would significantly impact on the Crime and Drug Partnership aims to reduce substance misuse.

25 EXCLUSION OF THE PUBLIC

RESOLVED to exclude the public from the meeting during consideration of the remaining items in accordance with Section 100A(4) of the Local Government Act 1972 on the basis that, having regard to all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information as defined in paragraph 3 of part 1, Schedule 12A of the Act.

26 TENDER FOR MORTUARY SERVICES - KEY DECISION - EXEMPT APPENDICES

RESOLVED to note the content of the exempt appendices to the report on Tender for Mortuary Services.

27 CRIME & DRUG PARTNERSHIP BUDGET UPDATE 2018/19 - KEY DECISION - EXEMPT APPENDIX

RESOLVED to note the content of the exempt appendices to the report on Crime and Drugs Partnership Budget Update 2018/19.

Commissioning and Procurement Sub-Committee 11.09.18

Voluntary Sector Update – Celina Adams on behalf of Nottingham CVS

Provision of Support for the Local Voluntary Sector:

- ABG's – NCVS are in communication with NCC regarding the review of the ABG's. In the meantime we continue to provide advice, support, casework and training to over 65 small, niche or emerging voluntary or community organisations based across the city.
- We are reviewing our training offer to Trustees, and niche organisations. We hope to offer additional training options that meet the fast changing needs of the sector in the next financial year.
- Our August E bulletin has featured a position statement on social prescribing – this is an initial statement and we are consulting with the VCS to inform a final statement.
- We have created a webinar and resources on GDPR for the benefit of groups across the city.

VCS Networks:

In terms of sector representation and engagement the focus has mainly been the STP Integrated Mental Health Strategy and STP Prevention, Self-Care and Promoting Independence workstream (specifically community centred approaches and person centred approaches). This work has been carried out alongside the business as usual representation and engagement across approx. 65 meetings, the networks and communications work.

The next Network meetings are:

- CYPN – 26th September: Focussing on exclusions and alternative provision
- VAPN – 27th September 2018: Focussing on Crisis Care Pathways and also Social Prescribing

NCVS also coordinates the Disability Sport Network, and the Leaders of Volunteers.

Nottingham's Volunteer Strategy:

NCVS is leading on a citywide Volunteer Strategy which will include the Voluntary, Community, Public, Business, Health, Housing and Education sectors.

It will redefine volunteering in Nottingham to ensure that everyone who wants to volunteer can expect to be valued, supported, trained and encouraged to develop themselves.

We will create a way to measure the difference that volunteers make to our city and we will tackle the barriers that face people as they struggle to get into volunteering. We will be asking volunteers themselves to be part of this process and to include their views at every stage.

There will be two duplicate conference sessions on 19th October 2018 at NCVS which progress this work.

Direct Projects:

- The Journey to Employment project:

This DWP funded project has now ended. It was hugely successful and is recognised as 2nd in the country for outcomes.

- Practice Development Unit:

The PDU is a partnership between Opportunity Nottingham and Nottingham CVS. It offers a unique opportunity for front line workers across Nottingham city to learn collaboratively and share good practice and expertise around working with service users who are facing multiple disadvantage. Members can also access a range of resources, including tool kits, reports and presentations, with both a local and national focus.

Upcoming free learning events are:

- 6th September 2018: Journey through the Mental Health System
- 12th September 2018: Towards a Psychologically informed Environment (PIE) Action Learning Set
- 13th September: Service User Involvement community practice.
- 20th September 2018: How managers can support trauma informed practice
- Starting 24th October: Housing First Community Practice.

Please join the portal for more information at: www.pdunottingham.org

- Disability Sport Insight and Participation Project:

The DSIPP is a 3 year programme in partnership with NCC. The project is Sport England funded to learn and understand the barriers individuals with disabilities face in order to get physically active. The focus of the project is to 'listen and learn' from the experiences of Nottingham's disabled people and disability organisations. Together, the intention is to shape Nottingham City's sports offer so it better meets the needs of disabled people and make Nottingham the fastest growing city for disability sports participation in the UK.

Approx 300 individuals have been signed up in return for feedback on their experience. Feedback is used to inform positive changes across the eight leisure centres to make the more disability friendly and accessible.

In addition, over 50 groups, organisations and services have joined a Disability Sport Network representing the needs of their service users.

Agenda Item 4

COMMISSIONING AND PROCUREMENT SUB-COMMITTEE

Subject:	Building Services Procurement Requirements - 2018/19		
Corporate Director(s)/ Director(s):	Andy Vaughan - Corporate Director for Commercial & Operations		
Portfolio Holder(s):	Councillor Graham Chapman - Portfolio Holder for Finance, Resources and Commercial Services		
Report author and contact details:	Trevor Bone Property Maintenance Manager Tel: 0115 8763142 Email: trevor.bone@nottinghamcity.gov.uk		
Key Decision	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Subject to call-in	<input type="checkbox"/> Yes <input type="checkbox"/> No
Reasons: <input checked="" type="checkbox"/> Expenditure <input type="checkbox"/> Income <input type="checkbox"/> Savings of £1,000,000 or more taking account of the overall impact of the decision			<input checked="" type="checkbox"/> Revenue <input checked="" type="checkbox"/> Capital
Significant impact on communities living or working in two or more wards in the City			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Total value of the decision: £14,145,000			
Wards affected: All	Date of consultation with Portfolio Holder(s): Councillor Graham Chapman 7/08/18		
Relevant Council Plan Key Theme:			
Strategic Regeneration and Development			<input type="checkbox"/>
Schools			<input checked="" type="checkbox"/>
Planning and Housing			<input type="checkbox"/>
Community Services			<input checked="" type="checkbox"/>
Energy, Sustainability and Customer			<input checked="" type="checkbox"/>
Jobs, Growth and Transport			<input type="checkbox"/>
Adults, Health and Community Sector			<input checked="" type="checkbox"/>
Children, Early Intervention and Early Years			<input checked="" type="checkbox"/>
Leisure and Culture			<input checked="" type="checkbox"/>
Resources and Neighbourhood Regeneration			<input type="checkbox"/>
Summary of issues (including benefits to citizens/service users):			
<p>This report sets out the requirements for Nottingham City Council, Building Services team to procure multiple replacement contracts which all end March 2019. The Executive Board paper (Repairs and Maintenance of Council Assets) 2 November 2015 (Appendix 1), outlined Building Services then new strategic direction regarding its procurement requirements. Working in conjunction with the central procurement team, Building Services has created a programme of procurement solutions, including insourcing of appropriate activity and reviewing existing contracts. The result of this analysis has enabled the reduction in the number of contracts required going forward.</p>			
Exempt information			
None			
Recommendation(s):			
1 Approve the procurement of replacement contracts detailed in Appendix 2 with a total value of £2,145,000 through an appropriate procurement process, and to award the contracts for the services based on the outcomes of the procurement process			
2 Approval to procure a Framework Agreement for Demolition Works with a maximum value of £12,000,000 over four years from 1 April 2019			

- 3 To delegate authority to the Corporate Director of Commercial and Operations to award contracts from the Framework Agreement for Demolition Works up to the total of £12m over 4 years from 1st April 2019.

1 REASONS FOR RECOMMENDATIONS

- 1.1 Due to multiple contracts coming to the end of their term in March 2019 Nottingham City Council, Building Services team have to procure replacements. This enables the Building Services team to keep Nottingham City Councils portfolio of assets compliant with multiple statutory, regulatory and legislative obligations (Appendix 3), for its portfolio of assets which serve a diverse mixture of citizens in Nottingham.
- 1.2 To improve efficiency and value for money in the services we commission. This procurement exercise is the optimal approach in managing our costs.
- 1.3 To ensure a high level of customer satisfaction with our services is maintained, as evidenced by feedback from internal stakeholders.
- 1.4 The new contracts will require the supplier to utilise modern technology where appropriate, to maximise efficiency in their own operations and ensure that Nottingham City Council Concerto system, records live data and continues the processing and storage of circa 15,000 compliance certificates / documents every year.
- 1.5 To ensure risk is managed in an appropriate manner ensuring the citizens of Nottingham and its visitors to the city are safe when visiting the council's portfolio of assets.
- 1.6 The figure for the maximum value associated with the demolition works framework agreement is a maximum spend required based on previous years activities; actual spend will depend on the value of individual schemes as they become necessary, and awarding the Framework Agreement does not commit the Council to any spend until such time as a call-off contract is awarded under the terms of the Framework Agreement.

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 Building Services has undertaken the commercial restructuring of its supplier contracts achieving a reduction in spend by £100,000 for 2018/19. In addition to our restructuring, we have insourced electrical & mechanical and general repairs and maintenance services, with an annual spend of £2m per annum. Other services have been identified for insourcing such as hot & cold water servicing & plumbing repairs which have a current combined annual spend of £400,000. All new contracts will include a contractual clause to enable further insourcing activity, which will result in further savings.
- 2.2 Nottingham City Council must fulfil its statutory, regulatory and legislative compliance obligations for its portfolio of assets which serve a diverse mixture of citizens in Nottingham and also includes the flagship corporate and civic asset portfolio. Nottingham City Council has a legal duty to offer a safe, and properly maintained portfolio of assets to its citizens, which are also accessible and appropriate to all sectors of the community.

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 Do nothing and allow contracts to end and not re-commission services. This will remove statutory, regulatory and legislative compliance across Nottingham City Councils portfolio of assets and increase the risk of prosecution and reputation to Nottingham City Council for providing non-compliant assets that endanger its citizens. This is unacceptable and so this option has been rejected.
- 3.2 Insource all of the activity covered by the contract areas under consideration for renewal. This option has been rejected due to the following; capacity, complexity, risk and value for money.
- 3.3 Allow Nottingham City Councils various directorates to individually purchase the services as they require to ensure compliance across the assets they are responsible for. This is likely to result in a more expensive, less compliant and less reliable service. It would also be more bureaucratic, with less ownership and accountability. For this reason this option has been rejected

4 FINANCE COLLEAGUE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)

- 4.1 The total value of new contracts required (Appendix 2) is estimated to be worth £2,145,000 over a 4 year period. The creation of a demolition framework estimated value over 4 years at £12,000,000 would be additional to the £2,145,000 contract retendering required. Tendering for all contracts at this time increases value for money, as economies of scale can be gained from managing all contracts together.
- 4.2 Base budget exists for spend on these contracts, as part of the corporate Planned Maintenance budget. A reduction in both the number of contracts required, and the unit cost of these contracts will benefit this budget, and contribute to overall savings requirements.
- 4.3 The reduction in spend with key suppliers has been identified in the Building Services commercial pipeline of works, with a forecast reduction of £100k expected in 17/18, which will be maintained in further years. All new contracts will include a contractual clause to enable further insourcing activity, which may result in further savings.
- 4.4 The contracts should adhere to financial regulations and be reviewed after the 2 years to ensure prices remain competitive and is still fit for purpose for the service.

Emma Cable – Finance Business Partner - 5th September 2018

5 LEGAL AND PROCUREMENT COLLEAGUE COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND INCLUDING LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)

- 5.1 There are no legal concerns arising from this report. Any contract to be awarded must be procured in accordance with the Council's constitutional requirements and procurement legislation. Legal Services will provide advice with regard to appropriate contract terms and provide support as required throughout the procurement process.

- 5.2 There are no legal procurement concerns arising from the report. The procurement team will work with the client to ensure compliance with the Councils Contract Procedure Rules and Public Contract Regulations 2015.

Sue Oliver – Procurement Category Manager (Places) 12/09/2018.

6 STRATEGIC ASSETS & PROPERTY COLLEAGUE COMMENTS (FOR DECISIONS RELATING TO ALL PROPERTY ASSETS AND ASSOCIATED INFRASTRUCTURE)

- 6.1 The approach outlined in the report is consistent with the Council's Corporate Asset Management Plan 2018. The Council has statutory and operational responsibilities respect to its estate and a requirement to ensure that these responsibilities be undertaken in such a way to ensure value for money.
- 6.2 The report proposes the procurement of multiple contracts to support the Council in the management of its estate providing flexibility to reduce cost by in house provision where appropriate that is consistent with the principles contained in the Corporate Asset Management Plan.
- 6.3 The report proposes that the Council's Concerto system is utilised to store contractor live data and certificates, this approach being aligned to the Council's Integrated Property Asset Management approach referenced in the Corporate Asset Management Plan.

Tanya Najuk Head of Strategic Assets Management Strategic Assets and Property Development; 11th September 2018

7 SOCIAL VALUE CONSIDERATIONS

- 7.1 The multiple maintenance service contracts are unable to be insourced due to the specialisms and therefore where possible Building Services will ensure that the chosen suppliers will be local to the area and seek to provide employment opportunities for Nottingham citizens.
- 7.2 The multiple maintenance service contracts will support Nottingham's citizens in continuing to access information on services, support and opportunities such as training and post-education opportunities, which are available to them within Nottingham City Council asset portfolio.

8 REGARD TO THE NHS CONSTITUTION

- 8.1 N/A

9 EQUALITY IMPACT ASSESSMENT (EIA)

- 9.1 Has the equality impact of the proposals in this report been assessed?

No

An EIA is not required because:

(Please explain why an EIA is not necessary)

Yes



Attached as Appendix 4, and due regard will be given to any implications identified in it.

10 LIST OF BACKGROUND PAPERS RELIED UPON IN WRITING THIS REPORT (NOT INCLUDING PUBLISHED DOCUMENTS OR CONFIDENTIAL OR EXEMPT INFORMATION)

10.1 N/A

11 PUBLISHED DOCUMENTS REFERRED TO IN THIS REPORT

11.1 Appendix 1 - Executive Board - Repairs and Maintenance of Council Assets,
2.11.15

Appendix 2 - Building Services Procurement 2018-2021

Appendix 3 - Applicable Legislation

Appendix 4 - Equality Impact Assessment

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Appendix 3

F-Gas Regulations (EU Directive 2010/31/U, Building Regulations 2010 Approved Documents F
HVCA Technical Report TR/19, 'Guide to Good Practice – Internal Cleanliness of Ventilation Systems'
The Regulatory Reform (Fire Safety) Order 2005, HVCA Technical Report TR/19: 'Guide to Good Practice – Internal Cleanliness of Ventilation Systems'
Electricity at Work Regulations 1989, IET Wiring Regulations BS 7671:2008 +A3 2015
The Regulatory Reform (Fire Safety) Order 2005, BS 5266
The Regulatory Reform (Fire Safety) Order 2005, BS 5839
Electricity at Work Regulations 1989, Electricity Safety, Quality and Continuity Regulations 2002, HTM 2021 - Electrical Safety Code for High Voltage Systems
BS EN 50131-1:2006 + A2:2017
The Regulatory Reform (Fire Safety) Order 2005, BS EN 62305, BS 6651:1992
Provision and Use of Work Equipment Regulations 1998 (PUWER)
Electricity at Work Regulations 1989, IET Wiring Regulations BS 7671:2008 +A3 2015, Lifting Operations 1998 (Loler), Supply of Machinery Regulations 1992, Use of Work Equipment 1998
Electricity at Work Regulations 1989, IET Wiring Regulations BS 7671:2008 +A3 2015
The Regulatory Reform (Fire Safety) Order 2005, BS EN 14339:2005
The Regulatory Reform (Fire Safety) Order 2005
The Regulatory Reform (Fire Safety) Order 2005
The Regulatory Reform (Fire Safety) Order 2005, BS 5306-3:2009
The Regulatory Reform (Fire Safety) Order 2005, BS 5839, BS 999
The Regulatory Reform (Fire Safety) Order 2005, BS EN 12845:2004
The Regulatory Reform (Fire Safety) Order 2005, BS 5041:1987
The Regulatory Reform (Fire Safety) Order 2005, BS EN 303-5:2012, HETAS
The Gas Safety (Installation and Use) Regulations 1998. (Responsibility for maintenance will usually reside with the plant operator/installer under a fully managed service contract)
The Gas Safety (Installation and Use) Regulations 1998
F-Gas Regulations (EU Directive 2010/31/U, Building Regulations 2010 Approved Documents F
Pressure Equipment Regulations 1999, Pressure Systems Safety Regulations 2000.
Lifting Operations and Lifting Equipment Regulations 1998 (LOLER), The Provision and Use of Work Equipment Regulations 1998 (PUWER)
Lifting Operations and Lifting Equipment Regulations 1998 (LOLER), The Provision and Use of Work Equipment Regulations 1998 (PUWER)
The Control of Asbestos Regulations 2012

Electricity at Work Regulations 1989, Supply of Machinery Regulations 1992, Use of Work Equipment 1998, IET Wiring Regulations BS 7671:2008 +A3 2015
BS EN 795:2012 'Protection Against Falls From Height – Anchorage Devices – Requirements And Testing', Working at Height Regulations 2005
BS 8525, Approved Code of Practice L8 - Control of Legionella Bacteria in Water Systems
Control of Substances Hazardous to Health Regulations 2002 (COSHH)
Health and Safety at Work etc. Act 1974
Workplace (Health, Safety and Welfare) Regulations 1992
BS EN 13451:2011, BS PAS 65:2004, HSG179 - Managing Health and Safety in Swimming Pools
BS EN 13451-10:2004, HSG179 - Managing Health and Safety in Swimming Pools
BS EN 13451:2011, BS PAS 65:2004, Approved Code of Practice L8 - Control of Legionella Bacteria in Water Systems, Control of Substances Hazardous to Health Regulations 2002 (COSHH), HSG179 - Managing Health and Safety in Swimming Pools
BS EN 1069-1, ISRM best practice, HSG179 - Managing Health and Safety in Swimming Pools
BS EN 13451-11, HSG179 - Managing Health and Safety in Swimming Pools
BS EN 13451:2011, BS PAS 65:2004, Approved Code of Practice L8 - Control of Legionella Bacteria in Water Systems, HSG179 - Managing Health and Safety in Swimming Pools
HSG179 - Managing Health and Safety in Swimming Pools, Pool Water Treatment Advisory Group - Industry Guidelines
Approved Code of Practice L8 - Control of Legionella Bacteria in Water Systems, Control of Substances Hazardous to Health Regulations 2002 (COSHH), Department of Health - Health Technical Memorandum 04-01
Approved Code of Practice L8 - Control of Legionella Bacteria in Water Systems, Department of Health - Health Technical Memorandum 04-01
Health and Safety at Work Act 1974, Approved Code of Practice L8 - Control of Legionella Bacteria in Water Systems, Control of Substances Hazardous to Health Regulations 2002 (COSHH), The Notification of Cooling Towers and Evaporative Condensers Regulations, Department of Health - Health Technical Memorandum 04-01
Water Authority requirement (enforced by Bye-Laws) - Water Regulations Advisory Scheme (WRAS) document AIM 08-01
Approved Code of Practice L8 - Control of Legionella Bacteria in Water Systems, Department of Health - Health Technical Memorandum 04-01

Equality Impact Assessment Form

[screeintip-sectionA](#)

1. Document Control

1. Control Details

Title:	Building Services Procurement 2018/19
Author (assigned to Pentana):	Trevor Bone – Property Maintenance Manager
Director:	Dave Halstead
Department:	Building Services
Service Area:	Commercial and Operations
Contact details:	Tel: 0115 8763412; Email: trevor.bone@nottinghamcity.gov.uk
Strategic Budget EIA: Y/N	Y
Exempt from publication Y/N	N

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2. Document Amendment Record

Version	Author	Date	Approved

3. Contributors/Reviewers

Name	Position	Date

4. Glossary of Terms

Term	Description

[screentip-sectionB](#)

2. Assessment

1. Brief description of proposal / policy / service being assessed

This report sets out the requirements for Nottingham City Council, Building Services team to procure multiple replacement contracts which end at various months during this financial year. Working with the central procurement team a programme of procurement has been formulated and included a thorough analysis of the total number of current contracts which has been reduced by packaging similar works together.

Without these contracts, Nottingham City Council will not be able to fulfil its many statutory, regulatory and legislative compliance obligations for its portfolio of assets which serve a diverse mixture of citizens in Nottingham and also include the flagship corporate and civic asset portfolio.

Nottingham City Council has a legal duty to offer a safe, and properly maintained portfolio of assets to its citizens, which are also accessible and appropriate to all sectors of the community.

This report recommends that Nottingham City Council gives authority for Building Service to procure multiple replacement contracts with a total value of £4,100,000 and to allow Building services to award and enter into the contracts.

[screeintip-sectionC](#)

2. Information used to analyse the effects on equality:

No consultation exercise has taken place due to the nature of the type of maintenance service contracts we are having to replace. However, without the procurement taking place its envisaged that all citizens of Nottingham will be impacted up and Nottingham City Council, asset portfolio will not be compliant with statutory and legislative requirements and therefore they could potential become a risk to all citizens.

3. Impacts and Actions:

<u>screeintip-sectionD</u>	Could particularly benefit X	May adversely impact X
People from different ethnic groups.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Men	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Women	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Trans	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Disabled people or carers.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pregnancy/ Maternity	<input type="checkbox"/>	<input checked="" type="checkbox"/>
People of different faiths/ beliefs and those with none.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Lesbian, gay or bisexual people.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Older	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Younger	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other (e.g. marriage/ civil partnership, looked after children, cohesion/ good relations, vulnerable children/ adults).	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Please underline the group(s) /issue more adversely affected or which benefits.

screen-tip-section E

How different groups could be affected
(Summary of impacts)

Building Service procurement requirements will adhere to the Nottingham City Council Procurement Strategy and will support the Council in meeting the requirements of the Equality Act 2010, including ensuring non-discrimination and compliance with the public sector equality duty in the delivery of contracts procured.

The Strategy is a key driver in promoting and meeting the requirements of the Public Services (Social Value) Act 2012, through the key objectives and themes of securing social, economic and environmental benefits for the City and its citizens. To maximise the economic, social and environmental benefits delivered, appropriate specific measures will be taken where relevant to any contract procured, for example including requirements for employment and training opportunities and promoting the principles of the NCC Business Charter.

Where a procured contracts has specific equality implications (for example a change of service provision) an EIA will be undertaken as part of the commissioning decision making process. The Strategy sets out a number

screen-tip-section F

Details of actions to reduce negative or increase positive impact
(or why action isn't possible)

The outcomes of procurement activity will be monitored and reported, in particular progress against the key economic, social and environmental objectives of the Procurement Strategy.

The Building Services Team will work in a fair and inclusive way and will promote equality and diversity in accordance with the principles of the Procurement Strategy.

The Strategy will support and promote the Council's Equality Objectives: 'Make sure that our workforce will reflect the citizens we serve; Create economic growth for the benefit of all communities; Provide inclusive and accessible services for our citizens; Lead the City in tackling discrimination and promoting equality

Procurement processes will be fair, open, transparent, proportionate and accessible to ensure a level playing field for all suppliers and no barriers to participation, particularly for small businesses and VCOs.

<p>of core principles for all procurement that will support equalities including:</p> <ul style="list-style-type: none"> - 'ethical standards' including the wellbeing and protection of work forces, that people are treated with respect and their rights protected. - 'governance, fairness and transparency' in the procurement and governance process - Citizens at the heart': ensuring all services procured are accessible and appropriate to meet the diverse needs of the community 	
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4. Outcome(s) of equality impact assessment:

<input checked="" type="checkbox"/>	No major change needed	<input type="checkbox"/>	Adjust the policy/proposal
<input type="checkbox"/>	Adverse impact but continue	<input type="checkbox"/>	Stop and remove the policy/proposal

5. Arrangements for future monitoring of equality impact of this proposal / policy / service:

6. Approved by (manager signature) and Date sent to equality team for publishing:

<p>Approving Manager: The assessment must be approved by the manager responsible for the service/proposal. Include a contact</p>	<p>Date sent for scrutiny: Send document or Link to: equalityanddiversityteam@nottinghamcity.gov.uk</p>
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tel & email to allow citizen/stakeholder feedback on proposals. trevor.bone@nottinghamcity.gov.uk or 0115 8763142	
SRO Approval:	Date of final approval:

Before you send your EIA to the Equality and Community Relations Team for scrutiny, have you:

1. Read the guidance and good practice EIA's
<http://intranet.nottinghamcity.gov.uk/media/1924/simple-guide-to-eia.doc>
2. Clearly summarised your proposal/ policy/ service to be assessed.
3. Hyperlinked to the appropriate documents.
4. Written in clear user-friendly language, free from all jargon (spelling out acronyms).
5. Included appropriate data.
6. Consulted the relevant groups or citizens or stated clearly, when this is going to happen.
7. Clearly cross-referenced your impacts with SMART actions.

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2018/2019 Building Services Procurement Plan

Contract Title / Overview	TUPE yes/no	Contract End Date	Award by:	Annual Spend	4 year spend	OJEU Y/N	Framework Options					
							ESPO			EEMS		
							Framework Y/N	Reference & Call off route	Compliance/End-date/OJEU	Framework Y/N	Reference & Call off route	Compliance/End-date/OJEU
Loxley House Data Centre + Woodthorpe	TBC	31.03.2019	31.12.2018	£19,200	£76,800	N	Go out to tender, pre procurement underway					
Access Doors	TBC	31.03.2019	31.12.2018	£162,839.00	£651,356	Y	Yes	676 Lot 3A/3B Not suitable	YES End date: 3.5.2019 (Ext: 3.5.2020) 2016/S 094- 169673	Yes	EEM0037 Suitable but further competition required. TB to contact EEM	Yes End Date: 24th September 2021 2017/S 096- 189354;
Specialist Alarms Maintenance	TBC	31.03.2019	31.12.2018	£12,504.00	£50,016.00	Y	Yes	676 Lot 3A/3B Not suitable	YES End date: 3.5.2019 (Ext: 3.5.2020) 2016/S 094- 169673	Yes	EM0067 Further Comp / Direct Award Not suitable, go out to tender, pre procurement underway.	Yes End Date: 15th April 2022 2018/S 022- 046236
Intruder Alarms - maintenance	TBC	31.03.2019	31.12.2018	£77,773.00	£311,092.00							
Fire Alarms - Maintenance	TBC	31.03.2019	31.12.2018	£124,857.00	£499,428.00							
Business Management System (Loxley House)	TBC	31.03.2019	31.12.2018	£28,335.00	£113,340.00	N	No	N/A	N/A	No	N/A	N/A
Generator and UPS Maintenance	TBC	31.03.2019	31.12.2018	£10,664+ £110,000	£42,656 + £110,000	N	No	N/A	N/A	No	N/A	N/A
Demolition and emergency building works	No	N/A	N/A				Authorisation required to create Framework					
Asbestos Surveys and Analytical Services	No	N/A	N/A	£50,000	£200,000	Y	Go out to tender, pre procurement underway					
Dangerous Structures Out of Hours Consultancy	No	31.12.2018	31.10.2018	£22500	£90,000.00	N	Go out to tender, pre procurement underway					
				Total	£2,144,788							

Insourced

Contract Title / Overview	Incumbent Provider	TUPE yes/no	Contract End Date		Award by:	Annual Spend	4 year spend
Legionella Management	Second Element		Due to Expire March 2019 - Insource	31.03.2019	Insourced	£13,905.00	£55,620.00
Pool Water Sampling	Second Element		Due to Expire March 2019 - Insource	31.03.2019	Insourced	£21,147.00	£84,588.00
Hot and Cold Water Services	Second Element		Due to Expire March 2019 - Insource	31.03.2019	Insourced	£151,061.00	£604,244.00
Plumbing and Mechanical Repairs	Second Element		Due to Expire March 2019 - Insource	31.03.2019	Insourced	£211,691.00	£846,764.00
NCC Electrical Services	N/A	N/A	Electrical Services		Insourced	£570,934.00	£2,283,736.00
NCC Mechanical Services	N/A	N/A	Plumbing & Heating Services		Insourced	£618,485.00	£2,473,940.00
NCH	N/A	N/A	General Repairs and Maintenance		Insourced	£827,772.00	£3,311,088.00

Agenda Item 5

COMMISSIONING AND PROCUREMENT SUB-COMMITTEE – 09/10/18

Subject:	Corporate Travel and Accommodation Contract		
Corporate Director(s)/ Director(s):	Candida Brudenell – Corporate Director of Strategy and Resources Steve Oakley – Acting Director of Commissioning and Procurement		
Portfolio Holder(s):	Councillor Graham Chapman		
Report author and contact details:	Kaj Ghattaora; Provider Performance Manager; kaj.ghattaora@nottinghamcity.gov.uk ; 0115 8765748		
Key Decision	Yes	Subject to call-in	Yes
Reasons: Expenditure of £1,000,000 or more taking account of the overall impact of the decision			Revenue
Significant impact on communities living or working in two or more wards in the City			No
Total value of the decision: up to £1.2m			
Wards affected: None	Date of consultation with Portfolio Holder(s): 19th September 2018		
Relevant Council Plan Key Theme:			
Strategic Regeneration and Development			<input type="checkbox"/>
Schools			<input type="checkbox"/>
Planning and Housing			<input type="checkbox"/>
Community Services			<input type="checkbox"/>
Energy, Sustainability and Customer			<input type="checkbox"/>
Jobs, Growth and Transport			<input type="checkbox"/>
Adults, Health and Community Sector			<input type="checkbox"/>
Children, Early Intervention and Early Years			<input type="checkbox"/>
Leisure and Culture			<input type="checkbox"/>
Resources and Neighbourhood Regeneration			<input checked="" type="checkbox"/>
Summary of issues (including benefits to citizens/service users): Nottingham City Council uses an electronic system to purchase corporate travel for rail, accommodation and air travel. The current contract is due to expire in November 2018 and this report seeks authorisation to procure a new contract for an electronic system for corporate travel and recommends an accelerated procurement route using an approved established framework, in order to achieve value for money and EU compliance.			
Exempt information: None			
Recommendation(s):			
1 To award a contract following a call off process from the Crown Commercial Services Framework to offer corporate travel solution as the current framework contract is due to expire November 2018.			
2 To delegate authority to the Head of Contracting and Procurement to award the framework contract, and for the Provider Performance Manager to sign any contract documents produced as a result.			
3. To approve spend against this decision, noting that the individual Service area reviews the need of the spend.			

1 REASONS FOR RECOMMENDATIONS

- 1.1 Corporate travel and accommodation is required by some officers of the Council in the performance of their duties. The existing arrangement is due to expire and requires a new contract to ensure compliance and best value.
- 1.2 For the new contract award, the Procurement Team have evaluated the Crown Commercial Services travel and accommodation framework. This is an EU compliant framework that the Council can benefit from.

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 Prior to using a framework for corporate travel, all expenditure related to hotel, rail and air travel was booked through purchase cards. This did not allow the Council to control expenditure and analyse management information to identify opportunities for savings.
- 2.2 On 01/05/2016 a framework contract was let to Click Travel for all staff to purchase which reduced the purchased card expenditure and enabled the Council to analyse all management information relating to bookings, savings to the council and any missed saving opportunities which has been very helpful.
- 2.3 The current contract with Click Travel is due to expire in November 2018, and we are unable to extend the current arrangements. The new contract will be called off the CCS framework which ensures value for money and EU compliance.

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 Do nothing - as the current contractual arrangement will expire shortly, this would expose the Council to a risk of higher costs and for this reason this option was rejected.
- 3.2 Advertise and run a competitive tender exercise - this is not deemed to be best value due to the administrative costs and time involved. In addition, the market has already been tested by CCS and a framework has been set up to prevent duplication of effort across Government in general and for this reason this option was rejected.

4 FINANCE COLLEAGUE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)

- 4.1 This report seeks approval to call off from an existing CCS framework for a period of up to 4 years commencing November 2018.
- 4.2 The call off from the CCS framework has confirmed that this option will provide the best value for money for the organisation.
- 4.3 The total cost of this decision is up to £1.2m for travel costs over the 4 year period (the system itself is free of charge), however, this is based on previous year's expenditure. Actual expenditure incurred may be lower due to the recent refocus of

organisational travel principles. Any reduction in spend will be picked up through either the monitoring or budget process of individual Departments.

- 4.4 A proportion of this expenditure will be paid for using grant funding and partner contributions and any reduction in expenditure may result in a reduction in associated funding.
- 4.5 Approval for business travel will need to be approved by the relevant service.
- 4.6 This decision is compliant with financial regulations and contract procedure rules as the CCS framework has been tendered in line with EU procurement regulations.

Hayley Mason, Strategic Finance Business Partner. 01/10/18.

5 LEGAL AND PROCUREMENT COLLEAGUE COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND INCLUDING LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)

- 5.1 The award of the contract is being made via calling off the Crown Commercial Services Framework No. RM6016, the framework is a fully compliant value for money method of buying the services and the two suppliers listed have agreed to a 'price match guarantee' as part of the contract terms and conditions.
Paul Ritchie, Lead Procurement Officer 25th September 2018.
- 5.2 There are no significant legal issues raised by this report provided the framework permits the City Council to make a direct award and delivers value for money.
Andrew James Team Leader – Commercial, Employment and Contracts. 20th September 2018

6 STRATEGIC ASSETS & PROPERTY COLLEAGUE COMMENTS (FOR DECISIONS RELATING TO ALL PROPERTY ASSETS AND ASSOCIATED INFRASTRUCTURE (STRATEGIC REGENERATION COMMITTEE REPORTS ONLY)

- 6.1 Not applicable

7 SOCIAL VALUE CONSIDERATIONS

- 7.1 Not applicable

8 REGARD TO THE NHS CONSTITUTION

- 8.1 Not applicable

9 EQUALITY IMPACT ASSESSMENT (EIA)

- 9.1 Has the equality impact of the proposals in this report been assessed?

EIA not required. The decision does not relate to new or changing policies, services or functions.

10 LIST OF BACKGROUND PAPERS RELIED UPON IN WRITING THIS REPORT (NOT INCLUDING PUBLISHED DOCUMENTS OR CONFIDENTIAL OR EXEMPT INFORMATION)

10.1 None

11 PUBLISHED DOCUMENTS REFERRED TO IN THIS REPORT

11.1 None