



NOTTINGHAM CITY COUNCIL
COMMISSIONING AND PROCUREMENT SUB-COMMITTEE

Date: Tuesday, 12 February 2019

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

AGENDA

Pages

- | | | |
|----------|---|---------|
| 1 | APOLOGIES | |
| 2 | DECLARATIONS OF INTERESTS | |
| 3 | MINUTES To confirm the minutes of the meeting held on 11 December 2018 | 3 - 10 |
| 4 | BUILDING SERVICES PROCUREMENT REQUIREMENTS - 2019/2020 - KEY DECISION Report of the Corporate Director for Commercial & Operations | 11 - 24 |
| 5 | ULEV VEHICLE AND INFRASTRUCTURE PROCUREMENT - KEY DECISION Report of the Corporate Director of Development and Growth and the Corporate Director of Commercial and Operations | 25 - 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 LB 32 - Loxley House, Station Street, Nottingham, NG2 3NG on 11 December 2018 from 10.01 am - 10.48 am

Membership

Present

Councillor Graham Chapman (Chair)
Councillor David Mellen
Councillor Dave Trimble
Councillor Sam Webster

Absent

Councillor Toby Neal (Vice Chair)

Colleagues, partners and others in attendance:

| | |
|------------------|--|
| Celina Adams | - Nottingham CVS |
| Chris Carter | - Transport Strategy Manager |
| Mark Garlick | - Team Leader, Transport Strategy |
| Kaj Ghattaora | - Provider Performance and Development Manager |
| Louise Graham | - VCS Partnerships Manager |
| Kate Morris | - Governance Officer |
| Steve Oakley | - Head of Contracting and Procurement |
| Christine Oliver | - Head of Commissioning |
| Ian Roper | - Business Support Manager. |

Call-in

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

41 APOLOGIES FOR ABSENCE

Councillor Toby Neal – Other Council Business

42 DECLARATIONS OF INTEREST

None.

43 MINUTES

The minutes of the meeting held on 13 November 2018 were confirmed as a true record and were signed by the Chair.

44 APPROVAL TO TENDER FOR LOCALLINK BUS SERVICES - KEY DECISION

Chris Carter, Head of Transport Strategy, presented the report seeking approval to tender for the operation of contracts for a number of subsidised bus services which provide service to a high number of elderly and disabled residents in areas of the City that are away from the commercial bus network.

RESOLVED to:

- 1) Undertake a procurement process from the local link bus service as details in the appendix attached to the published report.**
- 2) Delegate authority to the Corporate Director of Development and Growth to award and sign contracts to the successful bidder(s) following the outcome of the tenders (for 3+1+1 years), subject to the costs being within current budget levels.**

Reasons for decision

- (1) A new provider needs to be identified through a tender exercise to run the services used by citizens;
- (2) Within the tender process there will be opportunities for efficiency savings. The tender process will ensure that the most cost effective provision of service can be ensured. Bidders will be invited to price the tender for the existing network and also submit further alternative bids that would allow more efficient use of the vehicles whilst maintaining the level of services for citizens

Other options considered

The withdrawal of existing services due to rising costs was considered but was rejected. Withdrawal of the service would lead to disruption for passengers and the removal of access to public transport for some residential and commercial areas of the City.

45 APPROVAL TO RETENDER THE NOTTINGHAM CAR CLUB

Chris Carter, Head of Transport Strategy presented a report requesting approval to retender the existing Car Club scheme which is due to expire in May 2019. The purpose of the retender is to secure a concessionaire who will work with the Council to expand the service into residential areas as well as retaining the business offer.

RESOLVED to:

- (1) Approve undertaking a procurement process to retender for a concessionaire to deliver the Nottingham Car Club;**
- (2) Delegate authority to the Corporate Director of Development and Growth to award the contract to the successful provider following the tender;**
- (3) Approve allocation of £100,000 external grant funding from the Nottingham Go Ultra Low City programme to support the introduction of Ultra Low Emission Vehicles (ULEV's) on to the Car Club Fleet;**

Reasons for decision

- (1) Retendering the scheme will support the delivery of the Go Ultra Low programme and will support of the Councils wider transport and air quality objectives;
- (2) Retendering allows the Council to explore the option of receiving a revenue share in the new concession. If this financial benefit is confirmed through the tender process it is anticipated that revenues received will enable the Council to support provision of vehicles in disadvantaged communities;
- (3) Future bay locations will be assessed for their viability, but the Council will have to consider options for provision of bays within commercial and residential areas which for on-street locations will require the implementations of Traffic Regulation Orders

Other options considered

Three other options were considered. The first, do nothing, was rejected. If the Car Club were run on a commercial basis the City Council would not be able to charge vehicle permit fees for on street bays, would not be able to offer preferential membership deals for City residents and would not be able to guarantee the retention of the Remourban vehicle in Sneinton risking the loss of grant funding.

The second option, which was to extend with the existing operator, was rejected for a number of reasons. The existing specification does not require a minimum number of ULEV's. The current Car Club service needs updating to ensure it realises the benefits of the latest ULEV Technology. Further extending the existing contract would not realise best value for the Council.

The third and final alternative option considered was to deliver the Car Club in house. The current scheme runs at no cost to the council, delivering the scheme in-house would require significant financial investment to procure vehicles, operating systems, telematics and 24 hour customer services provision. Vehicles would require servicing and maintenance and repairs adding extra cost. This option would expose the Council to all the operating risk which is currently passed on to the concessionaire and so for these reasons this option was rejected.

46 DEBT RECOVERY AND ENFORCEMENT AGENCY - KEY DECISION

Ian Roper, Business Support Manager Financial Services, presented a report Enforcement Agent Services for the recovery of unpaid Council Tax, National Non Domestic Rates (NNDR), Business Improvement District Levy, Commercial Rents and Civil Enforcement of Penalty Charge Notices. During discussion the following points were highlighted:

- (a) The decision is of nil cost to the authority. Costs of the enforcement are passed on to the debtor and fees are not met by the authority. As such the final recommendation of the report, published with the agenda should not be considered;

RESOLVED to:

- (1) Approve the decision to tender the service requirement for a Framework concession for a period of 4 years;**
- (2) Approve the decision to delegate the award of the concession to the Corporate Director of Strategy and Resources.**

Reasons for decision

- (1) The services are needed to collect £3.4m of revenue per annum which is at risk of not being paid when all internal processes to collect the debt have been exhausted;
- (2) The existing concession has expired and the Council still has the requirement for these services
- (3) The tender does not exclude further work to be undertaken to explore the use of an ethical debt collection service.

Other options considered

One alternative option considered is to develop an internal Enforcement Agents Service. This was considered too complex and costly at present and was rejected, but was not ruled out of consideration for a future option.

The second option considered was to do nothing. This option was rejected as the Council will suffer a loss of revenue.

47 VOLUNTARY AND COMMUNITY SECTOR UPDATE

Celina Adams, Head of Support Services for Nottingham Community and Voluntary Service gave the Sub Committee an update on Commissioning and Procurement activities within the sector. A copy of the report is appended to the minutes.

During discussion the following points were highlighted:

- (a) NCVS is working towards bidding for funding to run schemes to help alleviate the issues of holiday hunger. Staff from Early Help Services are already contributing knowledge from the NCC run scheme from summer 2018 and Councillors are keen for other NCC Staff who were involved to contribute knowledge and learning;
- (b) Councillors are keen that NCVS are involved in the Area Based Grants programme and encouraged further involvement;

RESOLVED to thank Celina Adams for her attendance and to note the content of the update report from Nottingham Community and Voluntary Service.

48 VOLUNTARY AND COMMUNITY SECTOR GRANT AID 2019 ONWARDS - KEY DECISION

Louise Graham, VCS Partnerships Manager, presented a report to the Sub Committee regarding arrangements around Area Based Grants (ABG's) and Communities of Identity (COI) grant programmes and future allocation of funding. The following points were highlighted during discussion:

- (a) Councillors felt it would enhance the programme if reallocation, approval of criteria and approval of the grants process was completed in consultation with the relevant Portfolio Holders;
- (b) A large section of the ABG is ring-fenced for activities around employment and skills as EU Match funding;
- (c) City Council Services are not permitted to bid to offer activities. This is a historic decision made by NCC as a commitment to ensure Nottingham has a thriving third sector;

RESOLVED to:

- (1) Delegate approval of the re-allocation of the funding available within the Area Based Grant based on the Indices of Multiple Deprivation and population numbers using a "Fairer Funding Formula" to the Portfolio Holder of Community Protection in consultation with the relevant portfolio holders;**
- (2) Delegate approval of the final criteria and specification for the Area Based and Communities of Identity grant programmes to the Portfolio Holder for Community Protection in consultation with the relevant portfolio holders; and**
- (3) Delegate approval of the grants process and the allocation of funding from the grants programmes to successful applicants following recommendations from grants panel made up of representatives from Local Councillors and Officers to the Portfolio Holder for Community Protection in consultation with the relevant portfolio holders.**

Reasons for decision

- (1) Consultation with the relevant portfolio holders will ensure that funding is allocated where it is needed the most and increase accountability.
- (2) The current programme was developed as part of a streamlining investment programme in 2013. The second round of the two grant programmes comes to an end in March 2019 and so the criteria is being updated to better reflect current need within communities/ Existing specification are based on previous delivery outcomes of activities around Employment and Skills, activities for children and young people and supporting the management of Community Centres. Existing specifications for the COI are based on previous delivery

outcomes of information, advice and guidance on building skills and confidence, and supporting VCS organisations to manage space within buildings;

- (3) Funding will not move between the ABG and COI programmes. Reallocation will occur to ensure that NCC spending is reflective of the areas of the city. In the case of the ABG this is based on the IMD, a nationally recognised statistical tool that considers seven measures of deprivation (employment, health, education, crime, income, living environment and barriers to housing and services) and population numbers;
- (4) The grants process will be undertaken based on standard good practice for grants management. It will be transparent and robust and will follow the agreement between NCC and VCS through the Nottingham Compact Plus, which sets out the way in which the local authority works with the VCS.

Other options considered

The option to roll forward the existing arrangements for a further grant period was rejected because it does not reflect the changes in local need and available budget since the last programme was initiated.

49 FEE RATES FOR ADULT SOCIAL CARE SERVICES 2019/20 - KEY DECISION

Kaj Ghattaora, Provider Performance and Development Manager, presented a report to the Sub Committee presenting proposals for Adult Social Care fee rates in 2019/20. Consultation will take place during January and February 2019 with providers on the proposals considered. Approval to spend against the high cost placements provision will be through the Council's scheme of delegation for Adult Care Packages and will be negotiated on a case by case basis.

RESOLVED to:

- (1) Approve proposals which will be consulted on with service providers for fee rates in 2019/20 for Adult Social Care Services as outlined in the exempt appendix pricing detail;**
- (2) Delegate authority to the Head of Contracting and Procurement to agree fee rates in accordance with the proposals details in the exempt appendix pricing detail. This is subject to the outcome of consultation with providers and in line with the Council budget;**
- (3) To approve the total spend associated with this decision of £2.413m**

Reasons for decision

- (1) The Council is obliged by contract to consider fee rates in respect of services it has a duty to provide. This consideration is balanced against budget commitments and other pressures for the City Council;

- (2) To fulfil its legal obligation the Council will consult with service providers with regards to these proposals. The head of contracting and procurement will consider and take into account the responses and issue variation to existing contracts reflective of the proposals should no significant issue arise.

Other options considered

There were three alternative options considered, do nothing, offer different fee rates, undertake analysis of individual provider costs and offer fee rates based on the analysis.

The first, to do nothing, was rejected as it would place the Council at risk of legal challenge for failure to review contract fees.

The second, to offer different fee rate proposals, was rejected because offering different fee rates from the proposal's would put pressure on the Adult social care budget and this would not be feasible.

The third option, to undertake analysis of individual provider costs and offer fee rates based on the cost of care to factor wage rates paid etc was rejected as it would be administratively burdensome and not feasible at this time. It would be problematic as rates of pay and other factors are not standard across the sector.

50 EXCLUSION OF THE PUBLIC

RESOLVED to exclude the public from the meeting during consideration of the remaining item(s) in accordance with Section 100A(4) of the Local Government Act 1972 on the basis that, having regards to all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

51 FEE RATES FOR ADULT SOCIAL CARE SERVICES - KEY DECISION - EXEMPT APPENDICES

RESOLVED to note the content of the exempt appendices to the report on Fee rates for Adult Social Care Services.

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COMMISSIONING AND PROCUREMENT SUB-COMMITTEE 11/02/2019

| | | | |
|---|---|---------------------------|--|
| Subject: | Building Services Procurement Requirements - 2019/20 | | |
| 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 8763412 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 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: £2,722,040 | | | |
| Wards affected: All | Date of consultation with Portfolio Holder(s): | | |
| 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): This report sets out the requirements for Nottingham City Council, Building Services team to procure multiple replacement contracts which all end March 2020. The Executive Board paper dated 2 nd November 2015, 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 sub-contractor contracts. The result of this analysis has enabled the reduction in the number of contracts required going forward. | | | |
| Exempt information: None | | | |
| Recommendation(s): | | | |
| 1 Approve the procurement of replacement contracts detailed in Appendix 2 with a total value of £2,722,040 through an appropriate procurement process, and to award the contract for the services based on the outcomes of the procurement process | | | |
| 2 Delegate authority to the Head of Service for Building Services to approve the outcome of the procurement processes and award the contract to the provider that is deemed most suitable to provide these services. | | | |

1 REASONS FOR RECOMMENDATIONS

- 1.1 Due to multiple contracts coming to the end of their term in March 2020 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.

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 £100K for 2018/19. In addition to our restructuring, we have added hot and cold water services to our insourcing programme, which brings our annual insourcing spend to £2.2m per annum. Another service has been identified for insourcing, plumbing repairs, which have a current annual spend of £220K. 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, which 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 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 purchase individually 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. This is a politically sensitive area which is likely to give rise to public challenge if citizen safety is compromised especially with such a high profile enquiry ongoing (Grenfell). 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 £2,722,040 over a 4 year period. 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/value for money requirements.
- 4.3 The reduction in spend with key suppliers has been identified in the Building Services commercial pipeline of works. 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 regularly to ensure prices remain competitive and are still fit for purpose for the service.

Philip Gretton – Senior Commercial Business Partner 11th January 2019

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 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) 11/01/2019

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

- 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; 7th January 2019

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 - Building Services Procurement 2019-2020
Appendix 2 - Applicable Legislation
Appendix 3 - Equality Impact Assessment

2019/2020 Building Services Procurements

| Contract Title / Overview | TUPE yes/no | Contract End Date | Award by: | Annual Spend | 4 year spend | OJEU Y/N | Comments |
|--|----------------|----------------------|------------|-----------------|---------------|-------------|----------|
| Air Handling Plant and Air Conditioning Geothermal Heat Pumps Maintenance [Lot 7: Repairs and Maintenance Framework for Property] | TBC | 31.03.2020 | 31.12.2019 | £282,555.00 | £1,130,220.00 | Y | |
| Lift and Disabled Access Equipment Maintenance [Ref: CPU 1751] | TBC | 31.03.2020 | 31.12.2019 | £135,512.00 | £542,048.00 | Y | |
| Servicing and Maintenance of Fixed and Portable Fire Safety Appliances including Smoke Vents [Ref: CPU 1753] | TBC | 31.03.2020 | 31.12.2019 | £57,764.00 | £231,056.00 | Y | |
| Sprinklers and Inert Gas Fire Suppression Systems [Lot 8; Repairs and Maintenance Framework for Property] | TBC | 31.03.2020 | 31.12.2019 | £34,376.00 | £137,504.00 | N | |
| Chimneys and Lightning Conductors - Planned and Reactive maintenance of fall arrests and lightning protection. [Lot 11: Repairs and Maintenance Framework for Property] | TBC | 31.03.2020 | 31.12.2019 | £25,168.00 | £100,672.00 | N | |

| | | | | | | | |
|--|-----|------------|------------|-------------|------------|---|----------|
| Floating Pool Floor Maintenance | TBC | 31.03.2020 | 31.12.2019 | £17,436.00 | £69,744 | N | Comments |
| Chlorine Dioxide Dosing Units Servicing and Maintenance [CPU 1813] | TBC | 31.03.2020 | 31.12.2019 | £30,208.00 | £120,832 | N | |
| Legionella risk management | TBC | 31.03.2020 | 31.12.2019 | £81,111.00 | £324,444 | Y | |
| Seram Fees | TBC | 31.03.2020 | 31.12.2019 | £16,380.00 | £65,520 | N | |
| | | | | Grand Total | £2,722,040 | | |

Insourced – To Date

| 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 (In progress) | Second Element | | Due to Expire March 2019 - Insource | 31.03.2019 | In progress | £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 |

Appendix 3

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| 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) |
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| The Control of Asbestos Regulations 2012 |

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| 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

screen tip-section A

1. Document Control

1. Control Details

| | |
|-------------------------------|---|
| | |
| Title: | Building Services Procurement 2019/20 |
| 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 |

2. Document Amendment Record

| Version | Author | Date | Approved |
|---------|--------|------|----------|
| | | | |
| | | | |
| | | | |

3. Contributors/Reviewers

| Name | Position | Date |
|------|----------|------|
| | | |
| | | |
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4. Glossary of Terms

| Term | Description |
|------|-------------|
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[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 £3,232,000 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.

| <p>How different groups could be affected (Summary of impacts)</p> <p><u>screentip-sectionE</u></p> | <p>Details of actions to reduce negative or increase positive impact (or why action isn't possible)</p> <p><u>screentip-sectionF</u></p> |
|--|--|
| <p>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.</p> <p>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.</p> <p>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</p> | <p>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.</p> <p>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.</p> <p>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</p> <p>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:

- '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

Page 23

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:

| |
|--|
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|--|

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

| | |
|---|---|
| Approving Manager: The assessment must be approved by the manager responsible for the service/proposal. Include a contact | Date sent for scrutiny: Send document or Link to: equalityanddiversityteam@nottinghamcity.gov.uk |
|---|---|

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.

Agenda Item 5

COMMISSIONING AND PROCUREMENT SUB-COMMITTEE
12/02/19

| | | | |
|--|---|--|--|
| Subject: | Approval to establish procurement approach for ULEV vehicles and infrastructure | | |
| Corporate Director(s)/ Director(s): | Chris Henning, Corporate Director of Development and Growth Andy Vaughan, Corporate Director of Commercial and Operations | | |
| Portfolio Holder(s): | Councillor Dave Liversidge, Portfolio Holder for Transport and HR Councillor Sally Longford, Portfolio Holder for Energy and Environment | | |
| Report author and contact details: | Rasita Chudasama, Principal Transport Planner Rasita.chudasama@nottinghamcity.gov.uk , 0115 876939 | | |
| Key Decision | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Subject to call-in | <input checked="" 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 type="checkbox"/> Revenue <input checked="" type="checkbox"/> Capital |
| Significant impact on communities living or working in two or more wards in the City | | | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Total value of the decision: £10million | | | |
| Wards affected: All | | Date of consultation with Portfolio Holder(s): Councillor Dave Liversidge, Portfolio Holder for Transport and HR Councillor Sally Longford, Portfolio Holder for Energy and Environment – Tues 22 nd January 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 checked="" type="checkbox"/> |
| Jobs, Growth and Transport | | | <input checked="" 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 type="checkbox"/> |
| Summary of issues (including benefits to citizens/service users): The purpose of this report is to seek approval to undertake two procurement exercises to procure Ultra Low Emission Vehicle (ULEV) fleet vehicles and supporting infrastructure. It is proposed to establish two frameworks for a period of four years for ULEV vehicles and ULEV infrastructure. Both options will be made available to all UK public sector authorities for use. | | | |
| Exempt information: State 'None' or complete the following. None | | | |
| Recommendation(s): | | | |
| 1 To approve undertaking a procurement process to establish an Ultra Low Emission Vehicle (ULEV) framework for all UK public sector contracting authorities with respect to ULEV cars, light vans, minibuses and taxi purchase. | | | |
| 2 To approve undertaking a procurement process to establish a framework for all UK public sector contracting authorities with respect to ULEV charge point infrastructure purchase. | | | |
| 3 To delegate authority to enter into the ULEV framework contract award to the most advantageous tenders received to the Corporate Director of Commercial and Operations. | | | |
| 4 To delegate authority for the initial ULEV infrastructure contract award to the most advantageous tenders received to the Corporate Director of Development and Growth. | | | |

| | |
|---|---|
| 5 | To delegate authority to the Corporate Director of Commercial and Operations to award call off contracts under the ULEV vehicle framework. |
| 6 | To delegate authority to each of the Corporate Director for Commercial and Operations and the Corporate Director of Development and Growth to award call off contracts under the charge point infrastructure framework. |

1 REASONS FOR RECOMMENDATIONS

- 1.1 The council has an ambition to transition 22% of its fleet to Ultra Low Emission Vehicles (ULEV) by 2020 to support the council's wider transport and air quality objectives. With 50 vehicles already converted and a further 50 vehicles to be added to the fleet by December 2019, the council is well on the way to meeting its target. Due to a lack of availability of ULEV options through existing frameworks, procurement of the council's ULEV cars and vans has been undertaken through single procurement exercises. In order to allow for better value for money and efficiency, the council proposes to create a ULEV fleet framework comprising cars, vans, minibuses and taxis for a four year duration. Establishing a UK public sector authorities' framework has the added benefit for other councils' and public sector fleet operators to purchase cars and blue light service vehicles. Specifications for each of the vehicle types have been devised to ensure that a wide range of vehicle manufacturers can tender for the opportunity to form part of the framework.
- 1.2 Currently there are many frameworks available to the public sector to purchase ULEV charge point infrastructure, but few if any can be used by EU funded projects as they are not OJEU compliant. Nottingham City Council is part of the EU funded Interreg CleanMobilEnergy project which will see the introduction of 40 vehicle to grid compatible charge points cited at Eastcroft Depot. The council will need to procure these units. Given the fast evolving nature of the market, new suppliers are bringing technology to the market all the time. Establishing a framework will allow for all public sector authorities to purchase the latest technology.
- 1.3 The Government launched its Road to Zero Strategy in 2018 with a target for all new internal combustion engine sales to cease by 2040. The shift to ULEVs is also taking place in local authority policies as part of plans to improve air quality. By leading the two procurement exercises, the council can apply a 1% rebate for sellers to generate income with every use of the frameworks.

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 Nottingham City Council, in partnership with Nottinghamshire County Council and Derby City Council, is one of four cities in the UK to be awarded funding as a 'Go Ultra Low City' to introduce measures that will support the uptake of ULEVs across the local area. The programme includes the conversion of the council's cars and vans to ULEV, alongside a number of specialist fleet vehicles e.g. street sweepers and cage tippers in an attempt to lead by example and improve local air quality.
- 2.2 The council is part of a framework (with Perry's) with other purchasing authorities in Nottinghamshire when procuring internal combustion engine vehicles. However there are few established frameworks the council can utilise to procure ULEVs. This is requiring the council to continually perform single procurements and mini-competitions adding to avoidable work and unnecessary delay with introducing the vehicles into operation.

- 2.3 As a result of leading the Go Ultra Low programme, a significant level of expertise and knowledge of ULEV technologies has been built up, establishing Nottingham as a leading local authority on low emission vehicles. Our reputation and expertise provides the council with a unique opportunity to develop and establish a new framework to purchase additional fleet ULEVs, which will consist of cars, vans, minibuses and Hackney Carriage taxis. This will also facilitate the wider take up of ULEVs across other public sector authorities in the UK. The benefit of establishing a framework will result in an OJEU compliant process, through which suppliers will have been assessed and evaluated on value for money. Cenex undertook market potential for UK public sector authorities to procure ULEV vehicles and the market is valued at £200m over the four years, whilst the council's expenditure in vehicles over that period is valued in the region of £7m. Council expenditure will be met from the capital Vehicle Replacement Programme.
- 2.4 The council is part of a £1.5m EU funded CleanMobilEnergy project (previously agreed by Delegated Decision 3202). The project will help the council increase renewable energy generation, reduce operational energy and fleet costs, thereby saving the council money. The project will see 40 fleet ULEVs which are vehicle to grid compatible connected to a battery through special vehicle to grid charge points (allowing a bi-directional flow of energy). Solar panels placed on the Tamar building will collect green energy and be either used to power the building or stored in a battery to discharge into the grid or be used at a later stage. A new procurement will need to be carried out to procure these vehicle to grid charge points.
- 2.5 Through a linked Innovate UK funded vehicle to grid project (Evolocity), the council is participating with a consortia of partners to research the commercial benefits of utilising vehicle to grid technologies. Evolocity is being led by research and development company, Cenex, whose role is to establish a national set of standards for ULEV charge point infrastructure on behalf of Government. As a result. Cenex have developed a series of technical specifications and have identified an opportunity to establish a UK wide procurement which will offer a one-stop shop for public sector authorities to purchase charge point hardware, software, maintenance packages and services. What makes it unique is that there is no one-stop solution framework currently available which is focused on current and future ULEV smart charging technologies.
- 2.6 Cenex asked the council to lead in establishing a framework arrangement for the procurement of these ULEV charge point technologies. £30m Innovate UK funding has been awarded to 21 projects across the UK; the majority of which include a public sector partner. Most of these projects will have a requirement to purchase ULEV infrastructure. Again, this puts Nottingham in a strong position to maintain its leading position in ULEV delivery. The ULEV infrastructure framework work will also complement the ULEV vehicle framework being delivered by the council.
- 2.8 Cenex undertook market potential for UK public sector authorities to procure infrastructure and the market is valued at £700m for the first five years, whilst the council's expenditure is expected to be in the region of £3m. Council expenditure will be met from external grant funding. There is an opportunity for the council to charge a 1% rebate paid by the suppliers on the framework to the authority, presenting an income generation opportunity.

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 Three options to (1) do nothing (2) undertake Nottingham City Council only procurements and (3) carrying out a UK wide procurement were considered.
- 3.2 The council could consider to do nothing. This would result in a breach in the terms and conditions for various sources of external grant funding which has been awarded to purchase ULEV vehicles and associated infrastructure in order to achieve the council's clean air objectives. This option has been rejected as it risks a loss of funding and damage to the council's reputation.
- 3.3 The second option would result in the council procuring both ULEV vehicles and infrastructure for council only projects. Given the known market opportunities around ULEV fleets and required infrastructure this would result in a lost opportunity to achieve best value for money and would also lose the potential for income generation through the 1% rebate. This option was rejected as delivering less value for money.
- 3.4 The third and recommended option is for the council to undertake two procurements to serve the twin aims of responding to the council's procurement needs and also facilitate purchase by other public sector authorities across the UK. This approach would not require any significant additional work and can be delivered using the existing Due North procurement portal and via in-house staff (fleet, transport, procurement and legal services). This approach is recommended to ensure the best value for money is secured through the potential scale of purchases, provide the authority with an income opportunity and to further enhance the council's reputation. It is anticipated that the management of the frameworks can be accommodated within existing resources.

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

- 4.1 The Vehicle Replacement Programme is already part of the Capital Programme and the Council is already part of a £1.5m EU funded CleanMobil Energy Project (DDM 3202 referenced in paragraph 2.4).
- 4.2 Setting up the framework has no additional costs for the City Council and should additional Legal advice be required, funding is available for this.
- 4.3 The potential income from 1% rebate paid by suppliers on the framework is not in the budget. Once it is known how much income this will generate and when it will be received, this will contribute to the Council's overall financial position.
- 4.4 Implementing this framework therefore has no financial pressure and potential financial income for the Council and would support our future MTFP.

Susan Tytherleigh, Finance Business Partner, 21/01/19

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

- 5.1 This report proposes to award two frameworks for ULEV vehicles and ULEV charge point infrastructure. The frameworks will be awarded following a procurement process which complies with the Public Contracts Regulations 2015. To ensure the framework can be used by other local authorities and public bodies the City Council must ensure those other authorities and bodies are referred to in the procurement advertisement and the necessary call off procedures are built into the framework.
- 5.2 The value of this decision is stated as £10m but the procurement advertisement will need to state the estimated value for all the potential users of the frameworks.
- 5.3 The City Council will take advice from advisers such as Cenex to ensure it includes in the framework the right mix of lots for the different types of vehicles and charging infrastructure. Identifying the lots is not straightforward and there is no guarantee that other authorities and bodies will utilise the framework.
Andrew James, Team Leader, Legal and Governance ext 64431, 18/01/2019.
- 5.4 Procurement colleagues will assist with both tendering exercises to ensure that fully compliant, value for money frameworks are entered in to.
Paul Ritchie, Procurement Lead ext 64194, 21/01/2019.

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

6.1 N/A

7 SOCIAL VALUE CONSIDERATIONS

- 7.1 Nottingham City Council will make all known local suppliers aware of this opportunity and encourage their participation in the process to increase the amount of money being spent in the local economy, also the uptake and use of the products being procured will improve the air quality in the city.

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 x, 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 N/A