

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:

3879

Author:

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Department:

Children and Adults

Contact:

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Subject:

Purchase of Personal Protective Equipment during the Coronavirus Outbreak

Key Decision (decision valued at more than £1million):

Yes

Total Value:

£6.5m (projected maximum value of spend) (Type: Revenue)

Decision Being Taken:

- 1) To approve the purchase of Personal Protective Equipment (PPE) as needed during the Covid 19 outbreak for the Council's in house care services and potentially for use by externally commissioned care providers and Nottinghamshire Local Resilience Forum (LRF) footprint partners including County Council and Blue Light services. This will require a recharging agreement.
- 2) To approve dispensation from Contract Procedure Rules in accordance with Financial Regulation 3.29 (emergency action) to enter into agreements with suppliers.
- 3) To approve spend on PPE purchasing during the Covid 19 outbreak of up to £6.5m.
- 4) Approval of the Strategic Director of Finance to support, for each batch purchase, up to a 50% upfront payment where required, to secure supply.
- 5) To delegate authority to the Head of Contracting and Procurement to agree subsequent purchasing of PPE as needed during this period

Reasons for the Decision(s)

Due to the current Covid 19 outbreak, supplies of Personal Protective Equipment (PPE) are urgently needed for use in the delivery of social care services for adults and children by the Council's in house services and potentially for use by externally commissioned care providers and partners across the LRF footprint, including County Council and Blue Light services.

Supplies of PPE locally are diminished due to current the Covid 19 outbreak and it is essential that care services have access to the necessary protective equipment (including face masks, aprons and gloves) for all staff delivering care to vulnerable adults and children. The aim is to ensure PPE is available in accordance with government guidance within all Council provision and in external care settings as required, for the protection of employees, vulnerable citizens receiving care services and the wider community.

The need for PPE will be ongoing during the outbreak and quantities are difficult to project as this will depend on the scale of infections locally. Estimates based on worst case scenario projections suggest up to 300,000 face masks per week may be needed across the LRF footprint providers. Due to the current shortages of PPE and high demand nationally and internationally, purchasing decisions must be made immediately to secure supplies when available to maintain local supply and ensure stocks do not run out. The delegation of purchasing decisions to the Head of Contracting and Procurement will enable purchases to be made promptly when supplies are identified, subject to relevant minimum checks on suppliers. In each case the Procurement Team will seek to secure the best price possible through negotiation with the supplier and prior to spend being committed, screening checks are undertaken on those that are not known to the Council or sourced through a formal purchasing arrangement such as Crown Commercial Service framework.

This decision includes retrospective approval of emergency purchasing already undertaken which has been necessary to maintain a minimum of PPE stock to care providers since the start of the outbreak. Of this any spend committed above delegated levels has been authorized under emergency measures and now requires retrospective approval.

Other Options Considered:

- 1) Do nothing. Not recommended as urgent purchasing activity is necessary to maintain the supply of essential PPE for care services provided within the City. If purchasing decisions cannot be made immediately as needed, supplies will not be available at significant risk to care workers and vulnerable adults and children in social care services.
- 2) To seek approval to spend on a case by case basis when supplies are needed. This will not enable the volumes of supplies needed to be secured due to the high demand for this equipment at the current time and need to commit to purchases instantly

Background Papers:

None

Published Works:

None

Affected Wards:

Citywide

Colleague / Councillor Interests:

None

Dispensation from Financial Regulations: Yes

Consultations: Those not consulted are not directly affected by the decision.

Crime and Disorder Implications: None

Equality: EIA not required. Reasons: This decision relates to the continued delivery of existing services

Social Value Considerations: Not applicable

Decision Type: Leader's Key Decision

Subject to Call In: No
The call-in procedure does not apply to the proposed decision because the delay likely to be caused by the call in process would seriously prejudice the Council's or the public's interests. The Chair of the Overview and Scrutiny Committee (or Vice-Chair) in his/her absence has been consulted and agreed both that the decision proposed is reasonable in all circumstances and that it should be treated as a matter of urgency.

Person Consulted: Cllr Anne Peach
Consultation Date: 14/04/2020
Approval is required urgently to enable purchases to be made as soon as supplies are identified, subject to relevant minimum checks on suppliers.

Advice Sought: Legal, Finance, Procurement

Legal Advice: This report seeks authority to procure PPE. There are a number of procurement routes available to achieve this and UK Government has issued guidance in the form of a Procurement Policy Note (01/20) which helps to identify processes which can be used urgently to make direct awards. The legal services team will work with procurement and commissioning colleagues to ensure contract awards comply with applicable procurement rules in the Public Contracts Regulations 2015. Notwithstanding the urgency the City Council should still seek to ensure it obtains value for money when purchasing supplies. Advice provided by Andrew James (Team Leader Contracts and Commercial) on 16/04/2020.

Finance Advice: Attached Advice provided by Philip Gretton (Finance Analyst) on 20/04/2020. Advice provided by Philip Gretton (Finance Analyst) on 22/04/2020.
Advice documents: Finance Comments - PPE LKD.docx

Procurement Advice: The Procurement Team will source and purchase PPE products from suppliers, we will carry out due diligence as well as finance checks and seek references when necessary and prioritise suppliers who will accept payment on delivery of goods. Some suppliers will only trade with us if we pay a deposit up front and we will try to minimise the number and value of orders placed under that process. Advice provided by Paul Ritchie (Lead Procurement Officer) on 17/04/2020.

Signatures:

David Mellen (Leader/ PH Regeneration, Safety and Communications)
SIGNED and Dated: 16/05/2020
Candida Brudenell (Corporate Director for Strategy and Resources)
SIGNED and Dated: 12/05/2020
Laura Pattman (Strategic Director of Finance)
SIGNED and Dated: 26/05/2020