

Nottingham City Council Delegated Decision



Reference Number:	4261
Author:	Isobel Walton
Department:	Finance and Resources
Contact:	Isobel Walton (Job Title: Contracts Officer, Email: isobel.walton@nottinghamcity.gov.uk, Phone: 0115 876 1269)
Subject:	Additional funding of £240,000 for the Translation and Interpretation Contract
Total Value:	£240,000 (Type: Revenue)
Decision Being Taken:	<ol style="list-style-type: none">1) To agree an additional £240,000 to be allocated to spend on the current translation and interpretation framework contract as funds authorised for the 2018 contract have been exhausted;2) To exercise the option permitted within the contract to extend the contract for the remaining year 15/06/2021 - 14/06/2022;3) To grant dispensation from Contract Procedure Rule 4.1.2 in accordance with Financial Regulation 3.29 to vary the contract to reflect the additional costs associated with the service;4) To provide the Head of Contracting and Procurement delegated authority to sign the contract variation and extension.
Reasons for the Decision(s)	<p>The current funding for the translation and interpretation framework (start date: June 2018) has been exhausted. The framework is needed to ensure that the Council is able to meet the communication needs of both staff and citizens and supports the delivery of statutory services.</p> <p>The anticipated spend by NCC is approximately £240,000 from March 2021 - June 2022 based on average spend from April 2020 to January 2021.</p> <p>Spend increased from the end of March 2020 and was caused in part by COVID-19, this could not have been predicted in 2018 when the service was tendered. Operational teams have had to book video interpreting rather than face to face with a price increase of £8-£11 per hour. For this reason this approval seeks permission to grant dispensation from Contract Procedure Rule 4.1.2 in accordance with Financial Regulation 3.29 to vary the contract to reflect the additional costs associated with the service. The term of the framework is 2 + 1 + 1 with the first + 1 already implemented and one remaining + 1 extension available from 15/06/2021 - 14/06/2022.</p>

Other Options Considered:

***** ERROR *** - CONTAINS CHANGES THAT HAVE NOT BEEN ACCEPTED BY THE DECISION AUTHOR**

- 1) To Do Nothing: This was rejected because the council requires communication services to meet the needs of both staff and citizens.
- 2) To Bring In House: This option was rejected because the Council does not have the internal resource to deliver this service adequately in house.
- 3) Tender for a new service: This option was rejected because the cost and officer time resources needed to run a short term tender would not provide cost efficiency to the Council, there are no issues with performance, there is continued demand for this service, there is an option to extend under contract, one year extension will allow additional time to prepare for procurement for future requirements, the current framework providers offer value for money.

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: There is no significant change as this is a continuing service.

Social Value Considerations:

Not applicable

Decision Type:

Portfolio Holder

Subject to Call In:

Yes

Call In Expiry date:

06/07/2021

Advice Sought:

Legal, Finance, Procurement, Equality and Diversity

Legal Advice:

The proposals in this report raise no significant legal issues.

It is understood due to Covid-19 restrictions there has been increased demand and costs in delivering the services electronically.

The decision to exercise the option to extend into the 4th year is permitted under the contract but due to over-spend does require authority for additional spend into the 4th year that was not initially anticipated or provided for. The extra costs were and could not have been anticipated by the Council.

The modification to the contract will ensure continued service delivery within the parameters of the requirements of the initial contract. It is understood that it would not be possible to retender for these services at this time for a short term contract and so to do so would incur duplication of costs. The variation is therefore deemed a permitted modification in accordance with the Public Contract Regulations.

For the reasons given in the report, the proposals are supported.

Future requirements for these services will need to be considered in a timely manner prior to the end of this contract, including any continued additional services or costs which will need to be captured in future approvals and procurement processes.

Advice provided by Dionne Claire Screamon (Solicitor) on 20/04/2021.

Finance Advice:

This decision seeks to extend the translation and interpretation framework contract for a further year, covering the period 16th June 2021 to 14th June 2022. The anticipated spend on this extended framework is £0.240m, which is based on the previous years average spend. The decision to exercise the option to extend for a further year is permitted under the existing contract but approval for the additional spend is required as this was not anticipated at the time of agreeing the initial contract. The additional spend is due to increased costs in part caused by the impact of covid-19. It should be noted that this decision value is a ceiling amount and does not enter NCC into a contract of this amount.

The funding for the use of this framework will be met from individual service area budgets across all of NCC. Any service using this framework should ensure it is affordable at the time and will need to ensure it comes in within existing budget provision and that no financial pressure will occur. Spend from this framework should be deemed essential and business critical only.

Dispensation from Contract Procedure Rule 4.1.2 in accordance with Financial Regulation 3.29 is sought to vary the contract to reflect the additional costs outlined above.

Advice provided by Philip Gretton (Finance Analyst) on 29/04/2021.

Procurement Advice:

This decision raises no significant procurement concerns. Advice provided by Paul Ritchie (Lead Procurement Officer) on 24/03/2021.

Equality and Diversity Advice:

Have contacted author to ensure that an EIA is not required. Awaiting clarification before comments can be made. Advice provided by Nasreen Miah (Equality & employability consultant) on 25/03/2021.

Author has confirmed that this is funding for an extension to a contract that is already in place so an EIA is not required. Advice provided by Nasreen Miah (Equality & employability consultant) on 29/04/2021.

Signatures

Sam Webster (PH Finance and Resources)
SIGNED and Dated: 29/06/2021
Clive Heaphy (Corporate Director for Finance & Resources)
SIGNED and Dated: 24/06/2021
Clive Heaphy as Chief Finance Officer (Chief Finance Officer) - Dispensation from Financial Regulations
SIGNED and Dated: 22/06/2021
Chief Finance Officer's Comments: