



Subject:	Update on Contracts
Date:	18th August, 2023
Reporting Officer:	Sharon McNicholl, Deputy Chief Executive / Director of Corporate Services
Contact Officer:	Noleen Bohill, Head of Commercial and Procurement Services

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Sometime in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

Call-in	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

1.0	Purpose of Report or Summary of main Issues
1.1	<p>The purpose of this report is to:</p> <ul style="list-style-type: none"> seek approval from the Committee for tenders and Single Tender Actions (STA) over £30,000 <p>and to ask the Committee to:</p> <ul style="list-style-type: none"> note contract modifications to contract term and retrospective Single Tender Actions (STAs)
2.0	Recommendations
2.1	<p>The Committee is asked to:</p> <ol style="list-style-type: none"> approve the public advertisement of tenders, as per Standing Order 37a, detailed in Appendix 1 (Table 1); approve the award of STAs in line with Standing Order 55 exceptions as detailed in Appendix 1 (Table 2); approve the modification of the contract as per Standing Order 37a detailed in Appendix 1 (Table 3); and

	iv. note the award of retrospective STAs in line with Standing Order 55 exceptions as detailed in Appendix 1 (Table 4)
3.0	Main Report
	<u>Competitive Tenders</u>
3.1	Section 2.5 of the Scheme of Delegation states that Chief Officers have delegated authority to authorise a contract for the procurement of goods, services or works over the statutory limit of £30,000 following a tender exercise where the council has approved the invitation to tender
3.2	Standing Order 60(a) states any contract that exceeds the statutory amount (currently £30,000) shall be made under the Corporate Seal. Under Standing Order 51(b) the Corporate Seal can only be affixed when there is a resolution of the Council.
3.3	Standing Order 54 states that every contract shall comply with the relevant requirements of national and European legislation.
	<u>Single Tender Actions (STAs)</u>
3.4	<p>The following STAs are being submitted for approval:</p> <ul style="list-style-type: none"> • a contract for up to £80,000, for up to 2 months, awarded to Forge Leisure, for supply, delivery and installation of 3 Pool Covers at Shankill Leisure Centre and Grove Wellbeing Centre. The existing pool covers and associated equipment were supplied and installed by Forge Leisure. The repairs are proprietary and the replacement parts will have to be manufactured by Forge Leisure to interface with the remaining parts of the system previously installed by them. • A contract for up to £100,000, for up to 10 years, awarded to Precia Molen Ltd for the provision of maintenance and servicing of the weighbridge system at Dargan Road waste transfer station. This service can only be carried out by the supplier/ OEM of the weighbridges, Precia Molen Ltd who has exclusive access to associated software and OEM parts associated with the asset as well as suitably qualified and experienced engineers to conduct the testing, calibration and updates required. • A contract for up to £33,600, for up to 3 years, awarded to VU.CITY for the provision of an accurate digital 3D model of the Belfast City. There is no other supplier that can offer this solution without significant duplication of resources, costs and time to build the Belfast data layers. VU.CITY already has a significant portion of city mapped, including 262,835 trees, accurate to height & canopy as well as 55,594 buildings.

3.5

The following retrospective STAs were awarded:

- A contract for up to £135,000, for up to 3 years, awarded to Institute of Revenues Rating and Valuation (IRRV), for the annual engagement of the Institute of Revenues Rating and Valuation (IRRV), the professional body for local taxation, benefits and valuation. Specialist advice on rating matters including a review of the Council's Assessments in the Valuation List, advice on rate implications of investment projects.
- Contracts for up to £76,477, for up to 9 months, awarded to Hays Recruitment, for the requirement for a Temp Solicitor (Maternity Cover - Conveyancing and Contracts). The existing contracted provider for T1792 Provision of Temporary Agency Resources: Matrix SCM have confirmed they are unable to fulfil the required role of Temp Solicitor (Maternity Cover - Conveyancing and Contracts) within the contractually agreed time period.

Modification to Contract

3.6

The following Contract Terms were modified:

- Up to an additional 6 months and up to an additional £65,000, for Contract T1856 - Provision of a facilities management service at the Mary Peters Track, awarded to Athletics NI. Contract extension required to allow sufficient time for the Council to explore all possible options for the management of the site.
- Up to an additional 6 months and up to an additional £5,000, for Contract T1892 Provision of play equipment inspections at Belfast City Council sites awarded to Play Services Ireland. Due to ongoing work in reviewing the scope and additional inspection work required under this contract additional time is required to finalise the Specification and associated tender documents.

3.7

Off Street Parking Enforcement – Agency Agreement with DfI

- An extension of the current Agency Agreement with DfI is required to ensure continuity of service for the provision of off street parking enforcement. The service delivery by DfI, using NSL as their service provider, provides enforcement of parking through deployment of Traffic Attendants, penalty charge notice processing and cash collection / pay and display machine maintenance.

	<p>The existing agreement is due to end on 31st October 2023 with an extension required to 31st March 2024 to ensure continuity of service whilst the procurement process is concluded. The target cost schedule, which was agreed for the existing Agreement will continue to function as the contract costs, but we may be subject to increased costs for Traffic Attendants as Dfl are negotiation with NSL regarding a pay review.</p> <p>The Council has been acting as procurement lead as part of a consortium of 8 local councils via a joint procurement exercise. A Writ has been received preventing the award of the new contract. Legal Services are now progressing with seeking an opinion from Counsel as to the merits of BCC's position with a view to potentially lodging an application with the court to lift the suspension as soon as possible which would allow BCC to proceed with award. It is hoped this might be conclude in the coming months; however should this process take longer there is agreement with Dfl to extend the Agreement further until the matter is resolved.</p>
	Financial and Resource Implications
3.8	The financial resources for these contracts are within approved corporate or departmental budgets.
	Equality or Good Relations Implications / Rural Needs Assessment
3.9	None
4.0	Documents Attached
	<p>Appendix 1</p> <p>Table 1 - Competitive Tenders</p> <p>Table 2 - Single Tender Actions</p> <p>Table 3 - Modification to Contract</p> <p>Table 4 - Retrospective Single Tender Actions</p>