



Subject:	Contracts Update
Date:	21 June 2024
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"/>
Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.	
Insert number <input type="checkbox"/>	
<ol style="list-style-type: none">1. Information relating to any individual2. Information likely to reveal the identity of an individual3. Information relating to the financial or business affairs of any particular person (including the council holding that information)4. Information in connection with any labour relations matter5. Information in relation to which a claim to legal professional privilege could be maintained6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction7. Information on any action in relation to the prevention, investigation or prosecution of crime	
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 members for tenders and Single Tender Actions (STA) over £30,000 <p>And to ask members 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> <ul 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) • Approved Contracts awarded by Arc 21 on behalf of the Council (Table 3)
3.0	Competitive Tenders
3.1	Section 2.5 of the Scheme of Delegation states 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.
3.4	The Committee is asked to approve the public advertisement of tenders as per Standing Order 37a detailed in Appendix 1 (Table 1)
	Single Tender Actions (STAs)
3.5	The Council's current Single Tender Action (STA) process, which has been in place since 2020, provides assurance that the Council continues to comply with its obligations under the Public Contracts Regulations 2015 'PCRs' and internal governance arrangements including required controls and approvals. It mirrors the PCRs setting out the exceptional and specific circumstances when a STA can be used (see STA/ Direct Award Reasons Table in Appendix 1).

	To support Officers understanding and to build capability CPS also offer STA Process training on a regular basis.
3.6	<p>In line with Standing Order 55 the following STAs are being submitted for approval:</p> <ul style="list-style-type: none"> Contract for up to £50,000, for up to 4 months, awarded to Feile an Phobail, for Art of Reconciliation for Belfast 2024. BCC is delivering a number of direct commissions that align key strategic objectives and programme delivery. Féile an Phobail, in partnership with Belfast International Arts Festival and East Side Arts presents an international story of art and reconciliation, exploring locally international experiences of the transformative role of the arts in dealing with complex issues around legacy, conflict and reconciliation. Féile an Phobail are the only provider who can deliver this project given the partnership with Belfast International Arts Festival and East Side Arts and the unique artistic performance they are delivering.
3.7	Further details on these STAs is set out in Appendix 1 (Table 2) including the reason selected to support justification of each STA.
	Modification to Contract
3.8	<p>The Committee is asked to approve the following modification of the contract as per Standing Order 37a:</p> <ul style="list-style-type: none"> Up to an additional 4 months and £30,000, for T1939 Routine inspection, maintenance and repairs of roll-on/roll-off containers and static compactors, Lot 1 - Inspection, Repair and Maintenance of Roll-on/Roll-off Containers awarded to MacNabb Bros Waste Management and Lot 2 – Inspection, Repair and Maintenance of Static Compactors awarded Benagh Engineering and Motor Works Ltd. Currently finalising a procurement for the purchase of new skips and compactors and the outcome of that procurement will have an impact on the specification and requirements for this tender process depending on the type of equipment that is purchased. Additional time required to finalise documents for re-tender. <p>Further details on these contract modifications are set out in Appendix 1 (Table 3).</p>
	Arc 21
3.9	Contracts awarded by Arc 21 on behalf of the Council (Table 4).
	Financial & Resource Implications
3.10	The financial resources for these contracts are within approved corporate or departmental budgets
	Equality or Good Relations Implications / Rural Needs Assessment
3.11	None

4.0	Appendices – Documents Attached
	Appendix 1 <ul style="list-style-type: none">• Table 1 - Competitive Tenders• Table 2 - Single Tender Actions• Table 3 - Modification to Contract• Table 4 – Contract Awarded by Arc 21