



Subject:	Contracts Update
Date:	20 th September 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 individual 2. Information likely to reveal the identity of an individual 3. 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 matter 5. Information in relation to which a claim to legal professional privilege could be maintained 6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction 7. 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, contract modifications to contract term and Single Tender Actions (STA) over £30,000 <p>And to ask members to</p>

	<ul style="list-style-type: none"> Note 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 modification of the contract as per Standing Order 37a detailed in Appendix 1 (Table 2) Note the award of retrospective STAs in line with Standing Order 55 exceptions as detailed in Appendix 1 (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)
	Modification to Contract
3.5	<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 6 months, awarded to Now Group for the Bobbin Café Franchise contract. The replacement tender (T2479) is currently being evaluated but additional time is required to complete the evaluation process including negotiations. An extension of up to 6 months is requested to facilitate the evaluation and award process but the full period may not be required if the replacement tender (T2479) can be awarded sooner. <p>Further details on these contract modifications are set out in Appendix 1 (Table 2).</p>
	Single Tender Actions (STAs)
3.6	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).
3.7	To support Officers understanding and to build capability CPS also offer STA Process training on a regular basis.
3.8	In line with Standing Order 55 the Committee is asked to note the award of the following retrospective STAs: <ul style="list-style-type: none"> • Contract for up to £36,000, for up to 2 years, awarded to Concerto, for Project Management System used within Digital Services. The current system delivers functionality which is required by Digital Services for management of all projects. No other suitable supplier is available. This STA is to ensure continuity of service and is for 1 year with option for an additional year.
3.9	Further details on these contract modifications are set out in Appendix 1 (Table 3).
	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 - Modification to Contract • Table 3 - Retrospective Single Tender Actions