

North Lanarkshire Council Report

Environment and Climate Change Committee

Does this report require to be approved? Yes No

Ref CG/JMcK Date 09/11/22

Contracts awarded below Committee approval threshold

From Head of Asset and Procurement Solutions

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Executive Summary

This report notifies the Committee of the contracts awarded between 1 July 2022 to 30 September 2022. It sets out those contracts awarded with a value below the financial threshold requiring Committee approval.

Recommendations

The Environment and Climate Change Committee are:

- advised of the Contracts awarded below Committee approval threshold between 1 July 2022 to 30 September 2022 as per the process within the Council's General Contract Standing Orders.

The Plan for North Lanarkshire

Priority Improve economic opportunities and outcomes

Ambition statement (17) Ensure we keep our environment clean, safe, and attractive

1. Background

- 1.1 The Councils General Contract Standing Orders (the 'GCSOs') outline financial approval thresholds for contracts for goods, works and services. Contract awards above £500,000 for Supplies and Services and above £2,000,000 for Works require approval by the Committee. These contract awards are considered by the Committee on a case-by-case basis.
 - 1.2 Where the value of a contract award is between £50,000 and £500,000 for Supplies and Services and between £500,000 and £2,000,000 for Works, GCSOs require that the Head of Asset and Procurement Solutions award these contracts on behalf of the appropriate Chief Officer.
 - 1.3 The Head of Asset and Procurement Solutions is required to notify Committee on a regular basis of any such contracts awarded on behalf of Procuring Service Areas.
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2. Report

- 2.1 The GCSOs require that contracts in excess of £500,000 for supplies and services and £2,000,000 for works are approved, on a case-by-case basis, by the Committee before award.
 - 2.2 The GCSOs require that contracts with a value above £50,000 but less than £500,000 for Supplies and Services and above £500,000 but less than £2,000,000 for Works are awarded by the Head of Asset and Procurement Solutions on behalf of the appropriate Chief Officer.
 - 2.3 The contracts awarded by the Head of Asset and Procurement Solutions that are under the £500,000 Committee financial approval threshold for Supplies and Services and £2,000,000 for Works in the period from 1 July 2022 to 30 September 2022 are detailed in Appendix 1.
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3. Measures of success

- 3.1 Contracts support the delivery of Council and service priorities.
 - 3.2 Appointment of contractors who have suitable experience and capability to deliver the required supplies, services or works.
 - 3.3 Contracts awarded by the Council are compliant with GCSOs and procurement legislation.
 - 3.4 The Council's Contract Register is kept updated by services and management information is comprehensive and accurate.
 - 3.5 Best Value is both demonstrable and achieved.
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4. Supporting documentation

- 4.1 Appendix 1 - Summary of contracts awarded.

James McKinstry

James McKinstry
Head of Asset and Procurement Solutions

5. Impacts (<http://connect/report-template-guidance>)

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| <p>5.1 Public Sector Equality Duty and Fairer Scotland Duty Does the report contain information that has an impact as a result of the Public Sector Equality Duty and/or Fairer Scotland Duty? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, please provide a brief summary of the impact?</p> <p>If Yes, has an assessment been carried out and published on the council's website? https://www.northlanarkshire.gov.uk/your-community/equalities/equality-and-fairer-scotland-duty-impact-assessments Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> |
| <p>5.2 Financial impact Does the report contain any financial impacts? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If Yes, have all relevant financial impacts have been discussed and agreed with Financial Solutions? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If Yes, please provide a brief summary of the impact?</p> <p>Where Financial impacts have been identified, they have been established and addressed in each specific Contract Strategy and incorporated into the project.</p> <p>The Council's Procurement Strategy proposes methods of maximising the delivery of procurement benefits that could bring improved financial return to the Council and the areas wider economy. Certain benefits have a monetary value attached and these will be monitored on a project-by-project basis.</p> |
| <p>5.3 HR policy impact Does the report contain any HR policy or procedure impacts? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If Yes, have all relevant HR impacts have been discussed and agreed with People and Organisational Development? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If Yes, please provide a brief summary of the impact?</p> <p>Where HR impacts have been identified, they have been established and addressed in each specific Contract Strategy and incorporated into the project.</p> <p>Contracts awarded by the Council are compliant with GCSOs and procurement legislation.</p> |
| <p>5.4 Legal impact Does the report contain any legal impacts (such as general legal matters, statutory considerations (including employment law considerations), or new legislation)? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If Yes, have all relevant legal impacts have been discussed and agreed with Legal and Democratic Solutions? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If Yes, please provide a brief summary of the impact?</p> <p>Where Legal impacts have been identified, they have been established and addressed in each specific Contract Strategy and incorporated into the project.</p> |

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| <p>Contracts awarded by the Council are compliant with GCSOs and procurement legislation.</p> | |
| 5.5 | <p>Data protection impact Does the report / project / practice contain or involve the processing of personal data? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>If Yes, is the processing of this personal data likely to result in a high risk to the data subject? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>If Yes, has a Data Protection Impact Assessment (DPIA) been carried out and e-mailed to dataprotection@northlan.gov.uk Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> |
| 5.6 | <p>Technology / Digital impact Does the report contain information that has an impact on either technology, digital transformation, service redesign / business change processes, data management, or connectivity / broadband / Wi-Fi? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>If Yes, please provide a brief summary of the impact?</p> <p>Contracts for Fleet Management Solution and Civica Licensing listed have been assessed by the Enterprise Architecture Governance Group (EAGG).</p> <p>Where the impact identifies a requirement for technology, has an assessment been carried out (or scheduled) by the Enterprise Architecture Governance Group (EAGG)? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> |
| 5.7 | <p>Environmental / Carbon impact Does the report / project / practice contain information that has an impact on any environmental or carbon matters? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>If Yes, please provide a brief summary of the impact?</p> <p>Sustainable procurement is one of the key objectives of the Council's Procurement Strategy and will have a positive impact, including, embedding sustainable procurement as business as usual and incorporating community benefits into the Councils contracts. Supporting local businesses and SMEs through closer working with colleagues in the Council's Enterprise department and by making our processes more streamlined and accessible.</p> <p>Where Environmental/Carbon impacts have been identified, they have been established and addressed in each specific Contract Strategy and incorporated into the project.</p> |
| 5.8 | <p>Communications impact Does the report contain any information that has an impact on the council's communications activities? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>If Yes, please provide a brief summary of the impact?</p> |
| 5.9 | <p>Risk impact Is there a risk impact? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>If Yes, please provide a brief summary of the key risks and potential impacts, highlighting where the risk(s) are assessed and recorded (e.g. Corporate or Service or Project Risk Registers), and how they are managed?</p> |

Where Risk impacts have been identified, they have been established and addressed in each specific Contract Strategy and incorporated into the project.

Contract award procedures may be susceptible to legal challenge if they are not discharged in accordance with GCSO and procurement legislation.

APPENDIX 1 – SUMMARY OF BELOW THRESHOLD CONTRACT AWARDS

| Contract Description | Contract Award Date | Contract Start Date | Contract End Date | Contract Extension | Contract Value (inc extension) (£s) | Pre-Procurement Estimate (£'s) | Successful Tenderer | Supplies Services Works | No of Tenders Received | Route* |
|---|----------------------------|----------------------------|--------------------------|---------------------------|--|---------------------------------------|------------------------------|--------------------------------|-------------------------------|---------------|
| Supply of Compostable Sacks & Liners | 01/07/2022 | 15/07/2022 | 14/07/2023 | 14/07/2024 | £388,128.00 | £412,000.00 | Cromwell Polythene Ltd | Supplies | 2 | FMC3 |
| Bridge Inspections 2022-23 | 14/07/2022 | 13/07/2022 | 31/03/2023 | N/A | £277,746.09 | £280,000.00 | Atkins Ltd | Services | 1 | DAF3* |
| Junction Improvement Works, A73 Carlisle Road/South Biggar Road | 11/08/2022 | 15/08/2022 | 02/12/2022 | N/A | £521,857.37 | £635,000.00 | MacLay Civil Engineering Ltd | Works | 4 | CR |
| Provision of a Fleet Tracker System | 22/08/2022 | 22/08/2022 | 21/08/2025 | 21/08/2027 | £268,100.00 | £268,100.00 | CTrack Ltd | Services | 1 | DAF3* |
| Landfill Leachate Removal Services | 15/09/2022 | 11/11/2022 | 10/11/2023 | N/A | £170,150.00 | £170,150.00 | Scottish Water Horizons Ltd | Services | 1 | EXT** |

*Direct Awards from 3rd party collaborative frameworks to best value providers.

**Contract extension to incumbent provider delivering best value. Provision for extension made in original contract award reported to previous Committee.

Key – Procurement Route

- CO - Contract Open Procedure
- CR - Contract Restricted Procedure
- FO - Framework Open Procedure
- FR - Framework Restricted Procedure
- FMCC - Mini Comp Council Framework

FMC3 - Mini Comp 3rd Party Framework
DAFC - Direct Award Council Framework
DAF3 - Direct Award 3rd Party Framework
DAH&SC - Direct Award Health & Social Care Related Services
N - Negotiated Contract
EXT - Extension to Contract/Framework