

MIDDLESBROUGH COUNCIL	
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Report of:	Director of Finance
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Relevant Executive Member:	Executive Member for Finance & Governance
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Submitted to:	Executive
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Date:	10 April 2024
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Title:	Tender Pipeline 2024/25
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Report for:	Decision
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Status:	Public
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Strategic priority:	Quality of service
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Key decision:	Yes
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Why:	Decision(s) will incur expenditure or savings above £250,000
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Subject to call in?:	Yes
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Why:	Not Applicable
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Proposed decision(s)	That the Executive approves the tender pipeline for 2024/25 including delegation of responsibility for award of contract to the relevant Director in consultation with their Executive Member.
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Executive summary	To seek Executive approval of the Middlesbrough Council tender pipeline for 2024/25 including the delegation of responsibility for award to the relevant Director in consultation with their Executive member.
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This decision is being sought in line with governance arrangements for tenders undertaken by the Council. The implications of this decision have been considered by the appropriate officers of the Council and are set out in the main body of the report.

1. Purpose

To approve Middlesbrough Council's tender pipeline for 2024/25 and agree delegation of award to the relevant Director in consultation with their Executive Member.

2. Recommendations

That the Executive

- Approves the tender pipeline for 2024/25
- Delegation of award to the relevant Director in consultation with their Executive Member.

3. Rationale for the recommended decision(s)

To continue to have strong governance arrangements in place for procurement activity carried out by the Council. This pipeline report identifies the proposed procurements throughout 2024/2025, including those under threshold in order to provide full transparency with regard to proposed purchases. Approval is requested, in accordance with the Contract procedure rules for authorisation to progress with procurement activity which is above the key decision threshold.

Delegated Authority is required to ensure due governance is completed and Directors are fully aware of new contractual obligations and their associated financial impact.

4. Background and relevant information

A tender pipeline for April 2024 to 31st March 2025 has been developed as part of our governance processes. This report seeks Executive approval for that planned procurement activity and delegates authority for contract award to the relevant Director in consultation with their Executive Member.

The tender pipeline for 2023/24 had 50 procurements proposed and below is an update on progress:

- 21 – Contracts have been awarded
- 2 – did not progress as services were brought back in-house
- 2 – did not progress as no longer needed
- 3 – procurement is in progress
- 1 – failed procurement and direct award is being progressed
- 21 – procurements have been delayed and will now be published in 24/25 pipeline

The tender pipeline will be a live record which will be maintained by the Commissioning and Procurement Team and will be available for the supplier market to view on the Council's website.

If any new procurements with a full contract value of £250,000 or more are identified during the course of the year, an individual Executive report outlining the procurement request will be presented. This eventuality should be minimal, as all known procurements are captured within the pipeline work programme, however this may occur if new funding is made available, i.e through grant income.

5. Other potential alternative(s) and why these have not been recommended

Do Nothing – if this pipeline report is not progressed, each procurement activity in excess of the key decision threshold would need presentation to Executive for approval, in accordance with the Contract Procedure Rules. This is not a feasible option as this would increase the Executive agenda significantly, and create potential delays within the procurement process. The tender pipeline report details all planned procurement activity for the year ahead.

6. Impact(s) of the recommended decision(s)

6.1 *Financial (including procurement and Social Value)*

Activity within the procurement pipeline work programme will be progressed in accordance with the Contract Procedure rules, approved in September 2023. All activity within the procurement pipeline is known activity that is factored within service area budgets, or funding sources have been agreed. This pipeline report does not provide any additional pressures to the budgetary position.

6.2 *Legal*

This decision will enhance governance of procurement, and processes will be compliant with the authority's Contract Procedure Rules and the Public Contract Regulations 2015.

6.3 *Risk*

On 24 January 2023, the Department for Levelling Up, Housing and Communities (DLUHC) issued a Best Value Notice. The notice was formal notification that the Department for Levelling Up, Housing and Communities had concerns about the Council in relation to governance arrangements.

In accordance with the Contract procedure rules, any procurement in excess of the Executive key decision threshold must be approved by Executive, to ensure governance is followed the pipeline report identifies all potential procurement activity for 2024/2025 and seeks approval to progress with the appropriate procurement routes. Sign off to a successful procurement and contract award is delegated to the relevant Director in consultation with their Executive portfolio holder.

In securing this approval, any risk of non-compliance with approval routes is mitigated.

6.4 Human Rights, Public Sector Equality Duty and Community Cohesion

An Impact Assessment has been completed and found no concerns that the Tender Pipeline and delegation of responsibility could have any adverse effects and the assessment is attached as Appendix B.

6.5 Climate Change / Environmental

There are no adverse effects for Climate Change / Environmental from this report, however sustainability is a key factor within procurement processes.

6.6 Children and Young People Cared for by the Authority and Care Leavers

There are no adverse effects for Children and Young People Cared for by the Authority and Care Leavers from this report

6.7 Data Protection / GDPR

There are no data protection or GDPR implications from this report. The procurement process within the authority has embedded with it appropriate procedures for ensuring compliance with GDPR where appropriate.

Actions to be taken to implement the recommended decision(s)

Action	Responsible Officer	Deadline
Publish Middlesbrough Council Tender Pipeline 2024/25 on the Council internet	Specialist Commissioning & Procurement Manager	30 th April 2024

Appendices

1	Appendix A – Tender Pipeline 2024/25
2	Appendix B – Equality Impact Assessment
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Background papers

Body	Report title	Date

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