

MIDDLESBROUGH COUNCIL	
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Report of:	Executive Director of Finance & Transformation
Relevant Executive Member:	Executive Member for Finance
Submitted to:	Executive
Date:	5 March 2025
Title:	Tender Pipeline Approval 2025/26
Report for:	Decision
Status:	Public
Council Plan priority:	Delivering Best Value
Key decision:	Yes
Why:	Decision(s) will incur expenditure or savings above £250,000 and have a significant impact in two or more wards
Subject to call in?:	Yes
Why:	Non-Urgent decision

Executive summary	
<p>To seek Executive approval of the Middlesbrough Council tender pipeline for 2025/26, which is used to provide the market with an understanding of the potential future procurement activity the Council may undertake in the next 12-18 months. This includes the delegation of responsibility for the contract award to the relevant Director who will update their Executive Member.</p> <p>The recommendation is proposed as it allows strong governance arrangements for procurement activity carried out by the Council and will ensure the Council are compliant with the new Procurement Act 2023 which goes live on 24th February 2025 and will require the Council to formally publish a tender pipeline notice. The only other option would be to not have a tender pipeline which is not something the Council would be supportive of.</p> <p>The implications of the recommendations have been considered by the appropriate officers of the Council and are set out in the main body of the report.</p>	

1. Purpose

1.1 To seek Executive approval of Middlesbrough Council's tender pipeline for 2025/26 and agree delegation of the contract award to the relevant Director who will update their Executive Member.

2. Recommendations

2.1 That the Executive

- Approves the Middlesbrough Council tender pipeline for 2025/26.
- Delegation of the contract award to the relevant Director who will update their Executive Member.

3. Rationale for the recommended decision(s)

3.1 To continue to have strong governance arrangements in place for procurement activity carried out by the Council.

3.2 To be compliant with the new Procurement Act 2023 which goes live on 24th February 2025 and will require the Council to formally publish a tender pipeline notice.

4. Background and relevant information

4.1 For clarity this report is not the Corporate Procurement Strategy and that issues such as social value are included in that Strategy.

4.2 A tender pipeline is used to provide the market with an understanding of the potential future procurement activity the Council may undertake in the next 12-18 months.

4.3 The new Procurement Act 2023 which goes live on 24th February 2025 requires the Council to formally publish a tender pipeline notice.

4.4 The Council's [Corporate Procurement Strategy 2024 - 2026](#) sets out the strategic direction for the implementation of the Contract Procedure Rules, which are the regulatory framework for all staff to follow in respect of purchasing goods, services and works regardless of value. The Strategy supports the aims and priorities of the Council. It sets out how the Council will:

- Strive to make procurement easier for suppliers and the Council alike
- Challenge and drive value for money from all procurement activity.
- Maximise innovation, sustainability, and collaboration in our procurement activities to support the Council's strategic objectives
- Ensure social value and local return is at the heart of our procurement opportunities
- Continue to increase the visibility of our tender opportunities to our local and SME suppliers
- Make the best use of local, sub-regional, regional and national collaborative arrangements where significant benefits for Middlesbrough can be evidenced.

4.5 Within that Corporate Procurement Strategy, a tender pipeline is used to provide the market with an understanding of the potential future procurement activity the Council may undertake in the next 12-18 months and so increases the visibility of our tender opportunities.

4.6 The tender pipeline may be of particular benefit to small and medium sized enterprises (SMEs) and voluntary, community and social enterprises as it provides them with time to plan for future work, ensuring a competitive and diverse market.

4.7 Middlesbrough Council's tender pipeline for 1st April 2025 to 31st March 2026 has been developed as part of our governance processes and the new impending Procurement Act 2023 requirements. This report seeks Executive approval for the planned procurement activity and delegates authority for the contract award to the relevant Director who will then update their Executive Member.

4.8 In order to be transparent, the pipeline includes all known procurement activity and not just contracts over the Key Decision threshold, please note this means that not all of these opportunities will be on the publicly published pipeline as not all opportunities are available to the full market.

4.9 The Middlesbrough Council tender pipeline for 2024/25 had **113** procurements proposed and below is an update on progress:

- 49 – Contracts have been awarded
- 13 – procurement is in progress
- 10 – did not progress as no longer needed
- 41 – procurements have been delayed and will now be published in 25/26 pipeline

4.10 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 website.

4.11 If any new procurements with the full contract value of £250,000 or more are identified during the year, an Individual Executive report outlining the procurement request will be presented. This 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

5.1 Do nothing but this is not an option as this would not support strong governance or allow us to be compliant with the upcoming new Procurement Act requirements to publish a tender pipeline.

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

Topic	Impact
Financial (including procurement and Social Value)	<p>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.</p> <p>Social value is considered and included in all our tenders and is presently bespoke to each individual tender. Middlesbrough Council's Social Value Charter is now part of our standard tender documentation moving forward and bidders are required to provide their commitment to support the Council in delivering it.</p>
Legal	<p>This decision will enhance governance of procurement, and processes will be compliant with the authorities Contract Procedure Rules and the Public Contract Regulations 2015.</p> <p>This will also prepare the Council to be compliant with the impending Procurement Act 2023.</p>
Risk	<p>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 who will then update their Executive portfolio holder</p>
Human Rights, Public Sector Equality Duty and Community Cohesion	<p>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.</p>
Climate Change / Environmental	<p>There are no adverse effects for Climate Change / Environmental from this report, however sustainability is a key factor within procurement processes.</p>
Children and Young People Cared for by the Authority and Care Leavers	<p>There are potentially positive impacts for Children and Young People Cared for by the Authority and Care Leavers from this report in some of the tender pipeline projects for 2025/26 for Children's Services.</p>

Data Protection	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.
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Actions to be taken to implement the recommended decision(s)

Action	Responsible Officer	Deadline
Publish Middlesbrough Council Tender Pipeline 2025/26.	Specialist Commissioning & Procurement Manager	30 th April 2025

Appendices

1	Appendix A – Tender Pipeline 2025/26
2	Appendix B – Equality Impact Assessment

Background papers

None

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