

Croydon Council

REPORT TO:	CABINET 20th July 2020
SUBJECT:	INVESTING IN OUR BOROUGH
LEAD OFFICER:	SARAH WARMAN, DIRECTOR OF COMMISSIONING & PROCUREMENT JACQUELINE HARRIS-BAKER, EXECUTIVE DIRECTOR RESOURCES
CABINET MEMBER:	COUNCILLOR SIMON HALL CABINET MEMBER FOR FINANCE AND RESOURCES
WARDS:	ALL
<p>CORPORATE PRIORITY/POLICY CONTEXT/AMBITIOUS FOR CROYDON: Effective outcome based commissioning and prudent financial transactions contribute to all corporate priorities.</p> <p>The Council's Commissioning Framework (2019 – 2023) sets out the approach to commissioning and procurement and puts delivery of outcomes at the heart of the decision making process. As the Council develops more diverse service delivery models, it is important to ensure that our contractual and partnership relationships are not only aligned to our corporate priorities but also represent value for money for citizens and taxpayers, contributing to the growth agenda for Croydon.</p>	
<p>FINANCIAL SUMMARY: There are no direct costs arising from this report.</p>	
<p>KEY DECISION REFERENCE NO.:</p> <p>There are key decisions mentioned in this report, but approval of the Recommendations would not constitute a key decision.</p>	

The Leader of the Council has delegated to the Cabinet the power to make the decisions set out in the recommendations below

1 RECOMMENDATIONS

1.1. The Cabinet is requested to approve:

1.1.1. The Cabinet recommends to the Leader of the Council that prior to the next meeting of Cabinet in September, in respect of any contracts and property acquisitions and disposals valued over £500k and that have not previously been notified or reported to Cabinet, the nominated Cabinet Member in consultation with the Cabinet Member for Finance and Resources or, where the nominated member is the Cabinet Member for Finance and Resources in consultation with the Leader, be authorised to agree the award of such contracts. Note that any awards made under this delegation will be notified in the standard contracts report to the next meeting of Cabinet.

1.2. The Cabinet is requested to note:

1.2.1. The list of decisions pursuant to Part 5 A Article 1.7 (Urgency Decisions) of the Council's Constitution, made as relevant body by the nominated Cabinet Member in consultation with the Cabinet Member for Finance and Resources or, where the nominated member is the Cabinet Member for Finance and Resources in consultation with the Leader, as set out in section 4.1.

1.2.1.1. The contracts between £500,000 and £5,000,000 anticipated to be awarded by the nominated Cabinet Member, in consultation with the nominated Cabinet Member for Finance and Resources or, where the nominated Cabinet Member is the Cabinet Member for Finance and Resources, in consultation with the Leader, as set out in section 4.1.1.

1.2.1.2. The list of delegated award decisions made by the Director of Commissioning and Procurement, between 18/05/2020 – 17/06/2020, as set out in section 4.1.2.

1.2.2. Delegated award decisions for contracts over £500,000 in value made by the nominated Cabinet Member in consultation with the Cabinet Member for Finance and Resources or, where the nominated Cabinet Member is the Cabinet Member for Finance and Resources in consultation with the Leader since the last meeting of Cabinet, as set out in Section 4.2.1.

2 EXECUTIVE SUMMARY

2.1 This is a standard report which is presented to the Cabinet, for information, at every scheduled Cabinet meeting to update Members on:

- Pursuant to Part 5 A Article 1.7 (Urgency Decisions) of the Council's Constitution, the list of decisions made by the nominated Cabinet Member in consultation with the Cabinet Member for Finance and Resources or, where the nominated member is the Cabinet Member for Finance and Resources in consultation with the Leader:
 - Contracts between £500,000 and £5,000,000 anticipated to be awarded under delegated authority from the Leader by the nominated Cabinet Member, in consultation with the Cabinet Member for Finance and Resources and with the Leader in certain circumstances, before the next meeting of Cabinet;
 - Delegated contract award decisions made by the Director of Commissioning and Procurement 18/05/2020 – 17/06/2020;
- Delegated contract award decisions under delegated authority from the Leader by the Cabinet Member for Families, Health & Social Care in consultation with the Cabinet Member for Finance &

Resources related to the Adult and Young People Social Care Dynamic Purchasing Systems (DPS);

- Property lettings, acquisitions and disposals agreed by the Cabinet Member for Finance and Resources in consultation with the Leader since the last meeting of Cabinet;
[As at the date of this report there are none].
- Delegated decisions made by the Cabinet Member for Homes & Gateway Services, in consultation with the Cabinet Member for Finance & Resources, under delegated authority from the Leader, to approve the purchase of properties in relation to the HRA;
[As at the date of this report there are none].
- Contract awards and strategies to be agreed by the Cabinet at this meeting which are the subject of a separate agenda item;
[As at the date of this report there are none].
- Delegated contract award decisions under delegated authority from the Leader by the Cabinet Member for Environment Transport & Regeneration in consultation with the Cabinet Member for Finance and Resources related to the New Addington Wellbeing Centre project for the Lead Architect and Multi-disciplinary Professional Services;
[As at the date of this report there are none].
- Delegated contract award decisions under delegated authority from the Leader by the Cabinet Member for Children, Young People and Learning in consultation with the Cabinet Member for Finance and Resources related to the Addington Valley Academy SEN School for the construction of works.
[As at the date of this report there are none].
- Partnership arrangements to be agreed by the Cabinet at this meeting which are the subject of a separate agenda item.
[As at the date of this report there are none].

3 DETAIL

- 3.1 Section 4.1.1 of this report lists COVID contract awards, variations, and extensions decisions to be made under urgency provisions due to COVID related impacts between £500,000 to £5,000,000 by the nominated Cabinet Member in consultation with the Cabinet Member for Finance and Resources or, where the nominated Cabinet Member is the Cabinet Member for Finance and Resources, in consultation with the Leader.
- 3.2 Section 4.1.2 of this report lists COVID contract awards, variations, and extensions decisions made by the Director of Commissioning and Procurement for contract awards (Regs. 19, 28.4 a & b) between

£100,000 & £500,000 and contract extension(s) previously approved as part of the original contract award recommendation (Reg. 28.4 d) and contract variations (Reg.30).

- 3.3 Section 4.2.1 of this report lists the delegated decisions made by the Nominated Cabinet Member in consultation with the Cabinet Member for Finance and Resources or, where the nominated Cabinet Member is the Cabinet Member for Finance and Resources in consultation with the Leader since the last meeting of Cabinet.
- 3.4 The Council's Procurement Strategy and Tender & Contracts Regulations are accessible under the Freedom of Information Act 2000 as part of the Council's Publication Scheme. Information requested under that Act about a specific procurement exercise or contract held internally or supplied by external organisations, will be accessible subject to legal advice as to its commercial confidentiality, or other applicable exemption, and whether or not it is in the public interest to do so.

4 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

4.1 Urgency Decisions made under Part 5 A Article 1.7 of the Council's Constitution

- 4.1.1 COVID related reports for contract awards, variations, and extensions decisions to be made between £500,000 to £5,000,000 by the nominated Cabinet Member in consultation with the Cabinet Member for Finance and Resources or, where the nominated Cabinet Member is the Cabinet Member for Finance and Resources, in consultation with the Leader.

Contract Title	Contract Revenue Budget	Contract Capital Budget	Dept/Cabinet Member
PPE Procurement for COVID-19	£722,282 (Contract length 6 months)		Finance and Resources / Cllr Hall

- 4.1.2 COVID related Revenue and Capital consequences of delegated decisions made by the Director of Commissioning and Procurement for contract awards (Regs. 19, 28.4 a & b) between £100,000 & £500,000 and contract extension(s) previously approved as part of the original contract award recommendation (Reg. 28.4 d) and contract variations (Reg.30).

Contract Title	Contract Revenue Budget	Contract Capital Budget	Dept/Cabinet Member
Emergency Accommodation and Meals - Croydon Park Hotel	£310,432 (Contract length 8 weeks)		Homes & Gateway Services / Cllr Butler
Emergency Accommodation and Meals - Lansdowne Hotel	£212,450 (Contract length 12 weeks)		Homes & Gateway Services / Cllr Butler

CONTRACT VARIATIONS & EXTENSIONS					
Contract Title	Value of Contract to Date	Value of Extension Term	Total Revenue value including extension term	Contract Capital Budget	Dept/Cabinet Member
Streets IT system contract extension	£271,000	£102,000 (12 months extension)	£373,000		Finance and Resources / Cllr Hall
Cypress Junior School – Variation to Design Services and PM & QS Award	£98,740	£89,492	£188,232		Children, Young People & Learning / Cllr Flemming

4.2 Contract Awards

- 4.2.1 Delegated award decisions for contracts over £500,000 in value made by the nominated Cabinet Member in consultation with the Cabinet Member for Finance and Resources or, where the nominated Cabinet Member is the Cabinet Member for Finance and Resources in consultation with the Leader since the last meeting of Cabinet.

Contract Title	Contract Revenue Budget	Contract Capital Budget	Dept/Cabinet Member
Establishment of the Adult and Young People Social Care DPS (DPS 1)	£226,050,000 (Contract length 5 years + 5 years)		Families, Health, and Social Care / Cllr Campbell

Approved by: Ian Geary, Head of Finance - Resources on behalf of Lisa Taylor, Director of Finance, Investment and Risk and Section 151 Officer.

5 LEGAL CONSIDERATIONS

- 5.1 The Director of Law and Governance comments that the information contained within this report is required to be reported to Members in accordance with the Council's Tenders and Contracts Regulations and the council's Financial Regulations in relation to the acquisition or disposal of assets.

Approved by: Sean Murphy, Director of Law and Governance and Monitoring Officer.

6 HUMAN RESOURCES IMPACT

- 6.1 There are no immediate HR issues that arise from the strategic recommendations in this report for LBC staff. Any specific contracts that arise as a result of this report should have their HR implications independently assessed by a senior HR professional.

Approved by: Sue Moorman, Director of Human Resources

7 EQUALITY IMPACT

- 7.1 An Equality Analysis process has been used to assess the actual or likely impact of the decisions related to contracts mentioned in this report and mitigating actions have been defined where appropriate.
- 7.2 The equality analysis for the contracts mentioned in this report will enable the Council to ensure that it meets the statutory obligation in the exercise of its functions to address the Public Sector equality duty (PSED). This requires public bodies to ensure due regard to the need to advance equality of opportunity; foster good relations between people who share a "protected characteristic" and those who do not and take action to eliminate the potential of discrimination in the provision of services.
- 7.3 Any issues identified through the equality analysis will be given full consideration and agreed mitigating actions will be delivered through the standard contract delivery and reporting mechanisms.

8 ENVIRONMENTAL IMPACT

- 8.1 Any issues emerging in reports to the relevant Cabinet member will require these considerations to be included as part of the standard reporting requirements, and will not proceed without full consideration of any issues identified.

9 CRIME AND DISORDER REDUCTION IMPACT

- 9.1 Any issues emerging in reports to the relevant Cabinet Member will require these considerations to be included as part of the standard reporting requirements, and will not proceed without full consideration of any issues identified.

10 DATA PROTECTION IMPLICATIONS

- 10.1 Will the subject of the report involve the processing of 'personal data'?

NO

- 10.2 Has a Data Protection Impact Assessment (DPIA) been completed?

NO

Data Protection Impact Assessments has been used to assess the actual or likely impact of the decisions related to contracts mentioned in this report and mitigating actions have been defined where appropriate.

Approved by: Sarah Warman, Director of Commissioning & Procurement

CONTACT OFFICER:

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BACKGROUND DOCUMENTS:

The following public background reports are not printed with this agenda, but are available as background documents on the Croydon Council website agenda which can be found via this link [Cabinet agendas](#)

- Establishment of the Adult and Young People Social Care DPS (DPS 1)
- PPE Procurement for COVID-19