

## Cabinet (Resources) Panel

8 September 2021

|  |  |                                    |
|--|--|------------------------------------|
| <b>Report title</b>                            | Procurement – Award of Contracts for Works, Goods and Services |                                    |
| <b>Decision designation</b>                    | AMBER  |                                    |
| <b>Cabinet member with lead responsibility</b> | Councillor Ian Brookfield<br>Leader of the Council             |                                    |
| <b>Key decision</b>                            | Yes  |                                    |
| <b>In forward plan</b>                         | Yes  |                                    |
| <b>Wards affected</b>                          | All Wards  |                                    |
| <b>Accountable Director</b>                    | Claire Nye, Director of Finance                                |                                    |
| <b>Originating service</b>                     | Procurement  |                                    |
| <b>Accountable employee</b>                    | John Thompson  | Head of Procurement                |
|  | Tel  | 01902 554503                       |
|  | Email  | John.thompson@wolverhampton.gov.uk |
| <b>Report to be/has been considered by</b>     | Directorate<br>Leadership Team                                 |                                    |

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### Recommendations for decision:

The Cabinet (Resources) Panel is recommended to:

1. Delegate authority to the Leader of the Council, in consultation with the Director of Finance, to approve the award of a contract for Hybrid Mail when the evaluation process is complete.
2. Delegate authority to the Cabinet Member for City Assets and Housing, in consultation with the Deputy Chief Executive, to approve the award of a contract for Supply and Delivery of Hot Beverages when the evaluation process is complete.
3. Delegate authority to the Cabinet Member for Children and Young People, in consultation with the Executive Director of Families, to approve the award of call-off contracts under the West Midlands Regional Supported Accommodation Flexible Framework Agreement 2021 when Staffordshire County Council awards contracts to successful providers under the framework agreement.

## 1.0 Councillor Ian Brookfield, Leader of the Council

### 1.1 Delegated Authority to Award a Contract – Hybrid Mail

| Ref no: <b>CWC21083</b>          |  |
|----------------------------------|--|
| Council Plan aim                 | Strong, resilient and healthy communities                        |
| Originating service              | Revenues and Benefits  |
| Accountable officer              | Tracey Richards, Head of Revenues and Benefits<br>(01902) 552493 |
| Leadership Team approval         | 7 July 2021  |
| Accountable Lead Cabinet Member  | Cllr Ian Brookfield, Leader of the Council<br>(01902) 550352     |
| Date Lead Cabinet Member briefed | 12 July 2021   |
| Procurement advisor              | Peter Holmes, Procurement Manager<br>(01902) 556175              |

### 1.2 Background

- 1.3 The Revenue and Benefits Service administer housing benefit, council tax support and discretionary housing payments, the assessment, billing and recovery of council tax, business rates, business improvement district levies and recovery of sundry debts. This requires the issuing of a variety of letters, demands and recovery communications, which is the purpose of the proposed new contract.
- 1.4 Communications are issued daily, which include demand notices and reminder letters, with larger volumes being generated when issuing summons notices and in March of each year, when a notification is issued to all domestic and business premises within the city. There is an average of 23,000 notices issued monthly, increasing to 130,000 in March for annual billing. This service has been provided by an external provider, Critiqom, since 2015, with the existing contract due to expire 31 March 2022.

| <b>Proposed Contract Award</b> |                     |
|--------------------------------|---------------------|
| Contract duration              | Five years<br>(3+2) |
| Contract Commencement date     | 1 April 2022        |
| Annual value                   | £150,000            |
| Total value                    | £750,000            |

## 1.5 Procurement Process

1.6 The intended procurement procedure will be a framework further competition procedure in accordance with Public Contract Regulations 2015. The evaluation criteria will be 80% Price, 20% Quality. Any amendments to the procurement procedure will be reported in an Individual Executive Decision Notice (IEDN) to the relevant Cabinet Member in consultation with the relevant Director in accordance with the delegation within this report.

1.7 The evaluation team will comprise;

| <b>Name</b>     | <b>Job Title</b>               |
|-----------------|--------------------------------|
| Tracey Richards | Head of Revenues and Benefits  |
| Jennifer Hoare  | Lead Technical Specialist      |
| Lee Overton     | System and Development Manager |
| Diana Foster    | System Team Leader             |

## 1.8 Evaluation of alternative options

1.9 The Council (CWC) has considered an open procurement process for this contract however, due to the specific nature and risk to the contract it has been decided to use an existing framework with bespoke terms and conditions. The framework was advertised in OJEU and all suppliers in the market had the opportunity to submit a bid to become a supplier on the framework.

## 1.10 Reasons for decisions

1.11 The delegation is requested to ensure the contract can be awarded in good time, once the evaluation process is complete.

**1.12 Financial implications**

1.13 The anticipated cost of this contract can be accommodated within the existing revenue budget held by the Revenues and Benefits Service.

**1.14 Legal implications**

1.15 The procurement will be an above threshold procedure in accordance with the Public Contract Regulations 2015 and Council's Contract Procedure Rules.

**1.16 Equalities implications**

1.17 The contract will ensure that documents will be provided in an accessible format.

**1.18 All other implications**

1.19 There are no other implications arising from the recommendations of this report.

**1.20 Recommendation**

1.21 Cabinet (Resources) Panel is recommended to delegate authority to the Leader of the Council, in consultation with the Director of Finance, to approve the award of a contract for Hybrid Mail when the evaluation process is complete.

**2.0 Councillor Bhupinder Gakhal, Cabinet Member for City Assets and Housing**

**2.1 Delegated Authority to Award a Contract - Supply and Delivery of Hot Beverages**

| <b>Ref no: CWC21106</b>          |  |
|----------------------------------|--|
| Council Plan aim                 | A vibrant, green city we can all be proud of                           |
| Originating service              | Facilities – Catering Services   |
| Accountable officer              | Chris East, Head of Facilities<br>(01902) 550132                       |
| Leadership Team approval         | 28 July 2021   |
| Accountable Lead Cabinet Member  | Councillor Bhupinder Gakhal, City Assets and Housing<br>(01902) 551218 |
| Date Lead Cabinet Member briefed | 4 August 2021  |
| Procurement advisor              | Jose Vitoria, Procurement Manager<br>(01902) 554715                    |

**2.2 Background**

2.3 The Commercial Catering team currently have several different Hot Beverages suppliers supplying coffee, hot chocolate and a variety of teas to the different catering establishments operated by CWC across the City of Wolverhampton.

2.4 CWC's Commercial Catering have a requirement to procure a consolidated contract for the Supply and Delivery of Hot Beverages that meet the diverse range of customer requirements.

| <b>Proposed Contract Award</b> |                     |
|--------------------------------|---------------------|
| Contract duration              | Four years<br>(2+2) |
| Contract Commencement date     | 1 December 2021     |
| Annual value                   | £70,000             |
| Total value                    | £280,000            |

## 2.5 Procurement Process

- 2.6 The intended procurement procedure will be a Further Competition in accordance with Public Contract Regulations 2015.
- 2.7 The Council has chosen to utilise TUCO Hot Beverages (Lot 1: Hot Beverage Ingredients, Equipment and Associated Products) as the preferred route to market, this Lot has 10 suppliers awarded.
- 2.8 The evaluation criteria will be 60% price and 40% quality. Any amendments to the procurement procedure will be reported in an Individual Executive Decision Notice (IEDN) to the relevant Cabinet Member in consultation with the relevant Director in accordance with the delegation within this report.
- 2.9 The evaluation team will comprise;

| Name        | Job Title             |
|-------------|-----------------------|
| Chris East  | Head of Facilities    |
| Matt Lyons  | Area Catering Officer |
| Louise Moan | Area Catering Officer |

## 2.10 Evaluation of alternative options

- 2.11 The alternative option would be to not proceed with the procurement process and look to externalise the service, but as no work has been carried out on this option, and the service of hot beverages would still be required in the interim, this option has not been considered.
- 2.12 CWC could also choose to no longer serve hot beverages. However, as Commercial Catering operates at six locations across the city serving a large proportion of hot beverages to residents and visitors, this option is not recommended.

## 2.13 Reasons for decision

- 2.14 The delegation is requested to ensure the contract can be awarded in good time, once the evaluation process is complete.

## 2.15 Financial implications

- 2.16 This contract is required to obtain the most cost-effective and consolidated supply of Hot Beverages for the food and drink establishments operated by the Council.

2.17 The total estimated value of this four-year contract is £280,000. The annual estimated contract cost of £70,000 will be met from existing revenue budgets within the Catering service.

**2.18 Legal implications**

2.19 The procurement will be an above threshold procedure in accordance with the Public Contract Regulations 2015 and Council's Contract Procedure Rules.

**2.20 Equalities implications**

2.21 The contract will ensure that documents will be provided in an accessible format.

**2.22 All other implications**

2.23 There are no other implications arising from the recommendations of this report.

**2.24 Recommendation**

2.25 Cabinet (Resources) Panel is recommended to delegate authority to the Cabinet Member for City Assets and Housing, in consultation with the Deputy Chief Executive, to approve the award of a contract for Supply and Delivery of Hot Beverages when the evaluation process is complete.

### 3.0 Councillor Beverley Momenabadi, Cabinet Member for Children and Young People

#### 3.1 Delegated Authority to Award a Contract - West Midlands Regional Supported Accommodation Flexible Framework Agreement 2021 (16 to 21 year olds)

| Ref no:                          | CWC21006  |
|----------------------------------|---|
| Council Plan aim                 | Children and young people get the best possible start in life         |
| Originating service              | Children and Young People in Care                                     |
| Accountable officer              | Veronica Grantham, Commissioning Officer<br>(01902) 555494            |
| Leadership Team approval         | 15 July 2021  |
| Accountable Lead Cabinet Member  | Cllr Beverley Momenabadi, Children and Young People<br>(01902) 550200 |
| Date Lead Cabinet Member briefed | 17 August 2021  |
| Procurement advisor              | Ellen Wilkinson, Procurement Business Partner<br>(01902) 554950       |

#### 3.2 Background

3.3 CWC currently purchases services from the West Midlands Regional Supported Accommodation Flexible Framework. This framework was commissioned by Staffordshire County Council on behalf of 14 local authorities and trusts in the West Midlands Region, and it is due to expire on 30 November 2021. Staffordshire County Council is in the process of retendering the framework at the time of writing.

3.4 The framework will be utilised by the following Local Authorities: Staffordshire County Council, Birmingham Children's Trust Community Interest Company, Coventry City Council, Dudley Metropolitan Borough Council, The County of Herefordshire District Council, Sandwell Children's Trust, Shropshire Council, Solihull Metropolitan Borough Council, The Council of the City of Stoke-on-Trent, Borough of Telford & Wrekin, Walsall Metropolitan Borough Council, Warwickshire County Council, City of Wolverhampton Council and Worcestershire County Council.

3.5 Participating authorities have a statutory duty to work with housing providers to ensure that care leavers are provided with suitable accommodation when they leave the care system. This framework agreement is designed to support this requirement. It will also support authorities' legal obligation to help prevent homelessness. The framework will



provide services primarily for young people aged 16 to 17 years, but it can cater for those up to the age of 21 years. There is no obligation on the participating authorities to purchase services through this framework.

- 3.6 The West Midlands Strategic Commissioning Network assigned a regional task and finish group to oversee the process and support Staffordshire County Council with the commissioning and procurement of this new framework.

The aims of this regional partnership approach are to:

- Improve outcomes for young people in care aged 16 to 17, care leavers and Unaccompanied Asylum Seeking Children (UASC).
- The framework will cater predominately for young people in care aged 16 to 17. In addition, to prevent homelessness, it will cater for care leavers aged up to 21.
- Encourage market expansion to meet the participating local authorities' and trusts' sufficiency agenda.
- Provide a greater diversity of service provision.
- Improve quality of service delivery
- Secure best value

### 3.7 Local Context

- 3.8 Whenever possible, young people in care aged 16 to 17 years and care leavers are supported either by the Council's in-house housing support service or the contracted supported accommodation service for young people provided by Accord Housing Association. For a small number of care leavers, these support services are not appropriate due to a requirement for them to live out of city. The most common reasons for this are risk of exploitation and their time in care being spent out of city, and therefore all their links including to education and training being out of city. The West Midlands Flexible Framework Agreement is used in such situations, and a strategic review of supported accommodation services has evidenced that although local usage is low, the framework is an important part of a comprehensive supported accommodation offer for care leavers in the Council.

- 3.9 During financial year 2020-2021, 11 young people were supported by framework service providers. As on 5 April 2021, three young people were being supported by framework service providers; the average number is five at any one time. Actions are being taken to reduce the level of usage.

| <b>Proposed Contract Award</b> |                                       |
|--------------------------------|---------------------------------------|
| Contract duration              | Four years                            |
| Contract Commencement date     | 1 December 2021                       |
| Annual value                   | £347,000 (spend by the Council)       |
| Total value                    | £1.388 million (spend by the Council) |

### 3.10 Procurement Process

- 3.11 The total estimated value of the framework agreement over the four year period is £175 million. Staffordshire County Council has adopted an Open (above threshold) procedure, which is in accordance with the Public Contract Regulations 2015. Any amendments to the procurement procedure will be reported in an Individual Executive Decision Notice (IEDN) to the relevant Cabinet Member in consultation with the relevant Director in accordance with the delegation within this report.
- 3.12 Staffordshire County Council published the Contract Notice on 25 March 2021. The existing framework was due to end 11 July 2021. However, due to the high level of interest in the tender, it has been necessary to extend the duration of the framework until 30 November 2021, to allow sufficient time for the evaluation of bids. The new framework will commence on 1 December 2021 in order that there will be no disruption to service delivery. Furthermore, the framework will be reopened to new entrants on 1 June 2023 and 1 June 2025, to allow the framework to be refreshed.
- 3.13 Where the Council wishes to place a young person with a framework provider, in the first instance it will enter into an Access Agreement with Staffordshire County Council. Following this agreement, where the Council judges that a provider is best able of the providers to provide the service to a young person, it shall enter into an individual placement agreement with the provider, (referred to as a “call-off” contract).
- 3.14 All existing placements agreed between the Council and successful tenderers for the new framework shall transfer onto the terms and conditions of this new framework from the date of commencement. Where the price for an existing individual placement is lower than the price under this framework, the lower price shall continue to apply until the end of that placement.
- 3.15 The evaluation team will comprise representation from the framework local authorities and trusts as detailed below. The evaluation criteria reflect the requirements of the service specification and a weighting of 60:40 quality: price will be applied to the scores.

| Name             | Job Title               | Organisation<br>(if not WCC)        |
|------------------|-------------------------|-------------------------------------|
| Cathryn Greenway | Commissioning Manager   | Birmingham Children's Trust         |
| Nirmla Badhan    | Commissioning Officer   | Birmingham Children's Trust         |
| Julie Kendall    | Commissioning Officer   | Coventry City Council               |
| Shain Akhtar     | Commissioning Officer   | Dudley Metropolitan Borough Council |
| Jon Brown        | Project Support Manager | Dudley Metropolitan Borough Council |

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[NOT PROTECTIVELY MARKED]

|                     |  |                                       |
|---------------------|--|---------------------------------------|
| Sian Hickman        | Commissioning Officer                      | Dudley Metropolitan Borough Council   |
| Kim Clarke          | Commissioning Support Officer              | Herefordshire Council                 |
| Rakesh Mistry       | Commissioning & Placements Manager         | Sandwell Children's Trust             |
| Joanne Jackson      | Procurement Officer                        | Sandwell Children's Trust             |
| Alison Davidson     | Procurement Support Officer                | Sandwell Children's Trust             |
| Catherine Davis     | Procurement & Performance Support Officer  | Sandwell Children's Trust             |
| Nicki Gilbert       | Commissioning Officer                      | Solihull Metropolitan Borough Council |
| Aimee Wright        | Commissioning Manager                      | Solihull Metropolitan Borough Council |
| Kelly Mountford     | Commissioning Officer                      | City of Stoke-On-Trent Council        |
| Carla Gater         | Senior Commissioning Officer               | City of Stoke-On-Trent Council        |
| Sharon Smith        | Commissioning and Contracts Officer        | Telford & Wrekin Council              |
| Mark Davis          | Commissioning Officer                      | Telford & Wrekin Council              |
| Jacquie Soulier     | Commissioner                               | Warwickshire County Council           |
| Erica Johnson       | Commissioning Support Officer              | Warwickshire County Council           |
| Rachel Pitts        | Contracts Management Officer               | Warwickshire County Council           |
| Justine Bishop      | Group Manager-Placements & Sufficiency     | Worcestershire Children First         |
| Craig Wheeler       | Placement and Resources Team Manager       | Worcestershire Children First         |
| Paul Webber         | Outreach Team Manager                      | Worcestershire Children First         |
| Nicki Dolton-Deeley | Placement and Resources Monitoring Officer | Worcestershire Children First         |
| Andrea Cooke        | Commissioning Manager                      | Walsall Metropolitan Borough Council  |

|                   |   |  |
|-------------------|---|--|
| Raji Bains        | Commissioning, Consultation and Contract Management Officer | Walsall Metropolitan Borough Council     |
| James Brookfield  | Accommodation Officer                                       | Staffordshire County Council             |
| Andy Sjurseth     | Commissioning Manager                                       | West Midlands Regional Commissioning Hub |
| Charlotte Woolley | Commissioner  | West Midlands Regional Commissioning Hub |
| Supriya Padwal    | Data Analyst  | West Midlands Regional Commissioning Hub |

### **3.16 Evaluation of Alternative Options**

3.17 Alternative options have been considered. These options include in-house housing support services mentioned in the section “Local Context” and the contracted supported accommodation service for young people provided by Accord Housing Association. For a small number of care leavers, these support services are not appropriate due to a requirement for them to live out of city. The West Midlands Flexible Framework Agreement is used in such situations.

### **3.18 Reason for Decisions**

3.19 The delegation is requested to ensure call-off contracts can be awarded in good time, once Staffordshire County Council awards contracts to successful providers under the framework agreement.

### **3.20 Financial implications**

3.21 During 2020-2021, the annual cost of young people in care aged 16 to 17 and care leavers supported by the regional framework contract was in the region of £347,000, funded from the Children’s Transition budget. It is anticipated that the total potential spend over the 4 years of the framework is in the region of £1.338 million which can be accommodated within the existing Children and Young People in Care budget.

### **3.22 Legal implications**

3.23 The procurement will be an Open procedure (above threshold) in accordance with the Public Contract Regulations 2015 and the Council’s Contract Procedure Rules.

3.24 Councils have a duty to arrange for the accommodation and care of children for whom they have a responsibility pursuant to the Children Act 1989 Amended 2004. Accommodation will be secured for children and young people in care which will meet the needs of the child/young persons as outlined in the Sufficiency Duty (Children Act 1989 Section 22G) that are both economically advantageous and offer the highest quality.

### **3.25 Equalities implications**

3.26 An initial equality analysis has been completed. It evidences that there are no equalities implications. This will continue to be reviewed as our young people are placed through the framework.

3.27 The Council is committed to promote equality and diversity, giving every individual the chance to achieve their potential, free from prejudice and discrimination.

### **3.28 All other implications**

3.29 Giving children and young people the best possible start in life is one of the City of Wolverhampton Council's key priorities.

### **3.30 Schedule of Background Papers**

3.31 Cabinet (Resources) Panel 26 April 2016: [Strategic Procurement – Award of Contracts for works, goods and services.](#)

3.32 IEDN 11 January 2017: West Midlands Sub-regional Supported Accommodation Framework.

### **3.33 Recommendation**

3.34 Cabinet (Resources) Panel is recommended to delegate authority to the Cabinet Member for Children and Young People, in consultation with the Executive Director of Families, to approve the award of call-off contracts under the West Midlands Regional Supported Accommodation Flexible Framework Agreement 2021 when Staffordshire County Council awards contracts to successful providers under the framework agreement.

#### **4.0 Evaluation of alternative options**

4.1 All alternative options are included within the relevant section of the report.

#### **5.0 Reasons for decision**

5.1 The reason for the recommendations are included within the relevant section of the report.

#### **6.0 Financial implications**

6.1 All financial implications are included within the relevant section of the report.  
[RP/19082021/S]

#### **7.0 Legal implications**

7.1 All legal implications are included within the relevant section of the report.  
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#### **8.0 Equalities implications**

8.1 The relevance to equalities and progress in terms of equality analysis will vary for each proposal included in this report. Accountable officers have and will ensure that evidence is collected and used to demonstrate compliance with the Council's legal obligations under the Equality Act 2010.

#### **9.0 All other implications**

9.1 All other implications are included within the relevant section of the report.

#### **10.0 Schedule of background papers**

10.1 Relevant background papers are included within the relevant section of the report.