

## Wiltshire Council

### Cabinet

30 April 2019

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**Subject:** Procurement Plan FY2019-20

**Cabinet Member:** Councillor Philip Whitehead Cabinet member for Finance, Procurement, ICT and Operational Assets

**Key Decision:** Key

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#### Executive Summary

The purpose of this report is to inform Cabinet of the planned forthcoming procurements in FY2019-20 and to seek delegated authority for named Directors to award the resulting contracts within the parameters set in this report.

The contracts identified within this Procurement Plan FY2019-20 are mainly limited to contracts that are considered Key Decisions. They are also considered low risk operational re-procurements of existing works, services or supplies contracts but fall in to the Key Decision category because of their value. The key-decision criteria as per the constitution are set out below:

*Cabinet approval must be obtained for any contract (or programme) which:*

- *involves a key decision under this Constitution (see Part 1 paragraph 9);*
- *exceeds an annual value of £1 million or the total contract value exceeds £4million including any optional extension period;*
- *involves the transfer of 50 or more employees in or out of the council; or*
- *relates to a matter which is commercially, politically or strategically sensitive.*

Contracts are not included in this Report if: 1) they are not key decisions; or 2) they are Key Decisions for reasons other than contract value. Such contracts will be subject to approval by Cabinet or Officer Decision as appropriate in accordance with Council's Constitution and Schemes of Delegation.

In addition, any FY2019/20 procurement contracts subject to the following are also excluded:

- any applicable procurements previously approved via individual cabinet decision
- any applicable procurement previously approved under the annual capital programme
- any forthcoming procurements that are already listed on the Cabinet Forward Workplan FY2019-20.

Any other procurement for FY2019/20 that arises which is a key decision will be subject to its own separate Cabinet decision report.

As per the scope above, there are 17 contracts planned to be awarded in FY2019-20 with a total value of £322,508,145 - details of these are provided within Appendix A.

**Proposal(s)**

Cabinet are requested to:

- approve the planned contract awards for FY2019-20 as per appendix A and;
- delegate authority for each contract to the alongside named Director authorise officers to do all those things necessary to conduct a proper process, finalise the documentation, and execute the resulting contracts following consultation with the relevant Cabinet Member, plus, Director of Legal Services and Director of Finance.

**Reason for Proposal(s)**

The reason for this report is to inform Cabinet of the Procurement Plan for FY2019/20 and by providing this consolidated information in advance. This approach for the procurements listed will support the wider objective of being an efficient and effective council.

Alistair Cunningham  
**Executive Director**

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### Purpose of Report

1. The purpose of this report is to inform Cabinet of the planned forthcoming procurements in FY2019-20 and to seek delegated authority for named Directors to award the resulting contracts.

### Relevance to the Council's Business Plan

2. The individual procurements contained within this report will support one or more of the council's core priorities, in addition, consolidating the planned procurements for FY2019-20 into one report will also support the Council's wider objective of being an innovative and effective council by reducing the resource impact applicable.

### Background

3. The use of an annual procurement plan to consolidate and approve forthcoming operational re-procurements will improve council efficiency and effectiveness.

### Main Considerations for the Council

4. The contracts identified within this Procurement Plan FY2019-20 are limited to contracts that are both low risk operational re-procurements of existing works, services or supplies contracts but fall, on grounds of value, within the scope of the key-decision criteria as per the constitution set out below:

*Cabinet approval must be obtained for any contract (or programme) which:*

- *involves a key decision under this Constitution (see Part 1 paragraph 9);*
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In addition, any FY2019/20 procurement contracts subject to the following are also excluded:

- any applicable procurements previously approved via individual cabinet decision
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Any other procurement for FY2019/20 that arises and is a key decision will be subject to its own separate Cabinet decision report.

As per the scope above, there are 17 contracts planned to be awarded in FY2019-20 with a total value of £322,508,145 - details of these are provided within Appendix A.

### **Overview and Scrutiny Engagement**

5. No engagement has been held with Overview and Scrutiny.

### **Safeguarding Implications**

6. As per the delegated authority approved herein, the Director will consider any Safeguarding Implications on an individual procurement basis and seek appropriate agreement from the relevant officers. Any such implications will be reflected within the relevant Officer Decision Report.

### **Public Health Implications**

7. As per the delegated authority approved herein, the Director will consider any Public Health on an individual procurement basis and seek appropriate agreement from the relevant officers. Any such implications will be reflected within the relevant Officer Decision Report.

### **Procurement Implications**

8. This report has been developed by the Strategic Procurement Hub in consultation with service departments. The Procurement Implications have been considered in developing this plan.

### **Equalities Impact of the Proposal**

9. As per the delegated authority approved herein, the Director will consider any Equalities Impact on an individual procurement basis and seek appropriate agreement from the relevant officers. Any such implications will be reflected within the relevant Officer Decision Report.

## **Environmental and Climate Change Considerations**

10. As per the delegated authority approved herein, the Director will consider any Environmental and Climate Change Impact on an individual procurement basis and seek appropriate agreement from the relevant officers. Any such implications will be reflected within the relevant Officer Decision Report.

### **Risks that may arise if the proposed decision and related work is not taken**

11. If the decision is not taken then relevant individual procurement contracts will be subject to a separate cabinet decision report, which does not support the council to be efficient and effective in its decision making.

### **Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks**

12. Relevant risks would be managed by applicable Directors under the request for delegated authority. Where any resulting contract(s) are materially different in nature from the requirement approved herein or the financial sum is exceeded further Cabinet approval will be sought prior to entering into any contract(s).

## **Financial Implications**

13. All procurements listed herein are subject to consultation and approval by Accountancy prior to tender issue.

## **Legal Implications**

14. In seeking to increase efficiency in decision making the Council should consider the legal principal that an aspect of reaching rational, evidence-based decisions is taking all relevant factors or considerations into account. What is relevant and what is not depends on the nature of the subject matter of the contract. A standardised short form presentation of the facts of multiple contracts simultaneously may in some cases lead to insufficient information being presented to Cabinet to allow sound decisions.
15. All procurements are developed and executed by the Strategic Procurement Hub and in consultation with the Legal as required.

## **Options Considered**

16. None

## **Conclusions**

17. Cabinet are recommended to approve:
  - the planned contract awards for FY2019-20 as per appendix A and;
  - delegated authority for named Directors to award resulting contracts in consultation with the relevant Cabinet Member, plus, Director of Legal Services and Director of Finance

**Becky Hellard (Director - Finance and Procurement)**

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**Appendices**

(Appendix A – Procurement Plan FY2019-20.

**Background Papers**

None