

## Procurement Board

Dear Member,

You are invited to attend the meeting of the Procurement Board to be held as follows for the transaction of the business indicated.

Miranda Carruthers-Watt  
Proper Officer

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**DATE:** Wednesday, 26 June 2019

**TIME:** 10.00 am

**VENUE:** The Boardroom, Salford Civic Centre, Chorley Road, Swinton

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**In accordance with 'The Openness of Local Government Bodies Regulations 2014,' the press and public have the right to film, video, photograph or record this meeting.**

### AGENDA

- 1 **Apologies for absence**
- 2 **Declarations of interest**
- 3 **To approve, as a correct record, the minutes of the meeting held on 12 June 2019** (Pages 1 - 2)
- 4 **Matters arising**
- 5 **Decision items - Part 1 (open to the public)**
  - 5a Request for Approval - Contract Extension - SEND Brokerage, Support, Training and Advice Service for Schools and Families in the Orthodox Jewish Communities in Salford (Pages 3 - 8)
  - 5b Request for Approval - Contract Award - Works to Renew Roof Coverings and Upgrade Insulation at Brentnall Primary School. (Pages 9 - 14)
  - 5c Request for Approval - Exception to Contractual Standing Orders - Contract Award - Construction Services Job Costing System, Road Lineage, Tools & Equipment and Instant Road Repair in relation to the Transition of UV services. (Pages 15 - 24)
  - 5d Request for Approval to go out to competition for a Minor Civils Framework and Drainage Improvement Programme. (Pages 25 - 30)
- 6 **Any Other Business - Part 1 (open to the public)**
  - 6a Request for Approval - Award of Contract - Citrix 'CVAD' Enterprise (Pages 31 - 36)

licencing

6b Request for Approval - Award of Contract - Citrix ADC Licences and Hardware (Pages 37 - 42)

7 **Decision items - Part 2 (closed to the public) - No items**

8 **Date and time of next meeting**

10:00am on Wednesday 10 July 2019 in the Boardroom, Salford City Council, Civic Centre, Chorley Road, Swinton, M27 5DA.

Contact Officer:  
Carol Eddleston, Senior Democratic Services  
Advisor

Tel No: 0161 793 3316  
E-Mail: [carol.eddleston@salford.gov.uk](mailto:carol.eddleston@salford.gov.uk)

## PROCUREMENT BOARD

12 June 2019

Meeting commenced 10:02 a.m.

Meeting ended 10:26 a.m.

PRESENT: Councillors Boshell and Hinds (in the chair)

IN ATTENDANCE:	Peter Cowling	Business Manager
	Chris Hesketh	Head of Financial Management
	Paul Nugent	Head of Strategic Procurement
	Andy Stockton	Group Leader Landscape Design
	Carol Eddleston	Senior Democratic Services Advisor

### 1. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of the City Mayor and Councillor Merry.

### 2. DECLARATIONS OF INTEREST

There were no declarations of interest.

### 3. MINUTES OF PROCEEDINGS

The minutes of the meeting held on 12 June were approved as a correct record.

### 4. MATTERS ARISING

There were no matters arising.

### 5. REQUEST FOR APPROVAL TO PROCURE A NEW CONTRACT FOR DIGITAL PRINT EQUIPEMENT

Consideration was given to a report of the Director of Service Reform seeking approval to undertake a tender process for a lease and maintenance contract for digital printing equipment, which would include multi-functional devices, across the Council and high volume digital print equipment for the Corporate Print Centre.

The current contract was not due to expire until the end of August 2020 and, whilst it was not currently anticipated that there would be major changes to the scope of the new contract, Procurement Board was being asked to agree to the request to commence a tender process in good time to allow sufficient time for the specification to be developed thoroughly and an open day to be held with prospective tenderers.

RESOLVED, THAT: that authority be granted to undertake a tender process for a lease and maintenance contract for digital printing equipment, including multi-functional devices, across the Council and high volume digital print equipment for the Corporate Print Centre, to be procured in accordance with the Council's Contractual Standing Orders through an existing framework.

6. REQUEST FOR APPROVAL – CONTRACT EXTENSION – FRAMEWORK FOR LANDSCAPING AND ASSOCIATED SERVICES

Consideration was given to a report of the Strategic Director Place seeking approval of a 12 month extension to the contract for the Framework for Landscaping and Associated Services which had the provision within the current Framework Agreements to extend for a further two individual 12 month periods from 12 June 2019 to 11 June 2021.

Procurement Board acknowledged the Social Value achieved through the framework contractors, especially the larger contracts as exemplified in the case of the Worsley Delph restoration which had resulted to date with 62% of spend within GM / 23% in Salford; 100% of labour from GM / 36% from Salford, 2 work placements / 4 apprentices / 7 taster days for NVQ students and, amongst other contributions, 127 hours donated in constructing new footpaths in Worsley Woods.

RESOLVED, THAT: The City Mayor be recommended to approve a 12 month extension to the contract for the Framework for Landscaping and Associated Services, comprising the following contractors:

Name of Contractor	Type of Organisation	Registration No	SME/Non SME
The Casey Group	Private Limited	1122137	SME
Horticon	Private Limited	2463373	SME
Ground Work Landscapes	Private Limited	1339901	SME
The Landscape Group <i>id Verde Ltd</i>	Private Limited	3542918	Non SME
The Bethell Group	Private Limited	0264322	SME
Newground	Community Interest Group	2584951	SME
Landscaping Engineering	Private Limited	4049863	SME

Part 1	ITEM NO.
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**REPORT OF**  
**The Strategic Director for People**  
**TO**  
**Procurement Board**  
**ON**  
**26<sup>th</sup> June 2019**

**TITLE:** Approval for an extension of the contract for a Special Educational Needs and Disabilities Brokerage, Support, Training and Advice Service for schools and families in the Orthodox Jewish Communities in Salford

**RECOMMENDATION:**

That the Procurement Board:

- (1) Approve the extension of the Contract for a Special Educational Needs and Disabilities (SEND) Brokerage, Support, Training and Advice Service for schools and families in the Orthodox Jewish Communities in Salford

Detail required			
<b>Contract Reference</b>	TBC		
<b>Title/Description of Contracted Service/Supply/Project</b>	Contract for a Special Educational Needs and Disabilities Brokerage, Support, Training and Advice Service for schools and families in the Orthodox Jewish Communities in Salford		
<b>Name of Contractor</b>	The Centre for Specialist Educational Assistance Ltd (known as Binoh of Manchester)		
<b>Type of organisation</b> <i>(to be supplied by Corporate Procurement)</i>	Private Limited Company		
<b>Status of Organisation</b> <i>(to be supplied by Corporate Procurement)</i>	SME		
<b>Value of Contract Extension</b>	£ 40,360	to	Per annum
<b>Existing Contract Term</b>	01/09/2016	to	31/08/2019
<b>Extension Period Requested</b>	01/09/2019	to	31/08/2020
<b>Contact Officer (Name &amp; number)</b>	Geoff Catterall (793 3312) Steve Titley (793 2435)		

Lead Service Group	People Services
Funding Source	Grant

(2) Note that prior to the end of the period of time covered by the exception as indicated in (1) above, the Strategic Director will determine whether the service is to be decommissioned or, in consultation with the Corporate Procurement Team, will agree to undertake a compliant procurement process to re-let the contract by the end of the exception period.

#### EXECUTIVE SUMMARY:

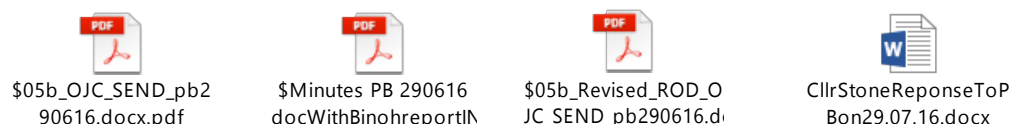
The purpose of this report is to request an extension to the contract for a Special Educational Needs and Disabilities Brokerage, Support, Training and Advice Service for schools and families in the Orthodox Jewish Communities in Salford

There is provision within the current contract to extend the agreement for a further period from 01/09/2019 to 31/08/2020

#### BACKGROUND DOCUMENTS:

Report of Procurement Board (PB) on 29.06.16 requesting the award of the contract following an open tender process and the Record Of Decision approving that award.

Minutes of Procurement Board 29.06.16, especially the additional requests for information and future contract extension approvals for this contract under 'Item 6'.



KEY DECISION: No

#### DETAILS:

##### Background

Approval to go out to tender for this service was given following a report presented to Procurement Board on 9<sup>th</sup> March 2016. The reasons for going out to tender were that the Local Authority (LA) has statutory responsibilities to support all children with special educational needs in Salford and the LA did not (and still does not) have the internal resource to provide the culturally appropriate SEND support offer needed by

the Orthodox Jewish Community. Further detail are available in the PB contract award report of 29<sup>th</sup> June 2016, above.

A contract was subsequently awarded to Binoh of Manchester following an open tender process for £40,360 p.a. from 01.09.16 to 31.08.19 with two optional annual extensions to 31.08.20 and 31.08.21, with the potential cost of the full contract to 31.08.21 being £201,800.

Annual contract extensions of this amount are not usually required to return to PB for approval and instead are approved by the Strategic Director. However on this occasion Procurement Board had additional questions about the provision and also stipulated that future annual extensions on this contract should come back to PB for approval (please see Procurement Board Minutes 29.06.16, Item 6, above).

### **Current request**

A report recommending an extension of this contract from 01.09.19 to 31.08.20 has been presented to Children's Services Senior Leadership and to Executive support for Education and Learning. The recommendation to extend was approved for the following reasons:-

- The provision is still necessary for the reasons outlined in the original request to PB report of 29<sup>th</sup> June 2016 (please see above).
- The provision has been subject to quarterly monitoring and has performed well since 01.09.16.
- The provision also reduces the incidences of children in this community needing to progress to a higher level of intervention and spending by the Council at Education Health and Care Plan (EHCP) level, as the help given by Binoh in school (to pupils, teachers and SENCO's) invariably addresses issues before they develop further.
- However if an EHCP is in the best interests of the child/young person then further work does need to be done. Consequently, building on the success of Binoh's work at pre-EHCP level, they were contracted (under contract variation regulations, following advice from Procurement) to deliver additional provision from 09.04.18 to 08.04.19 and then from 09.04.19 to 08.04.20 for work with Council SEN services, the child/young person, their family and their school to implement EHCP's in the most effective way. This work has is also subject to quarterly monitoring and has also been successful.

**Additional information requested by Procurement Board**

As discussed, when agreeing the award of the original contract PB requested further information about the provision. Cllr Stone the then Lead Member for Children and Young People's Services responded on 29<sup>th</sup> July 2016 (please see 'Background Documents' above)

The advice has not materially changed but some refreshed information in relation to it has been provided to the original requests below.

### **1. Consideration to be given to the joint procurement of this service with Manchester and Bury**

As previously stated in the response of 29.06.17 (above) 85% of Orthodox Jewish Schools in North Manchester are located in Salford, rather than Manchester or Bury and so the other Authorities have no plan or intention to provide a specialist Binoh-style service.

Children's Services do continue to monitor and respond to the needs of the OJC community in partnership with the Orthodox Jewish Forum, including educational needs and cross-border research which suggests that Salford OJC numbers are growing, with a still greater proportion of the OJC community students living in Salford (please see below).

### **2. Confirmation that the current service is provided only to children living in Salford.**

On average 1 in 2 of the children/young people supported by this provision are non-Salford residents. This continues to reflect the balance of the location of the Orthodox Jewish Schools and also population movements of the Jewish Orthodox Community into Salford (in the last Census, the Jewish population increased by 20% faster than the overall population *but by 48% in Salford*, with the 0-15 age group increasing by 62%, Source – Orthodox Community Profile Version 5).

The Binoh delivery model is consistent with the legislation governing the practice of the Council's internal SEN service which serves the maintained school sector. The internal service also supports non-Salford resident pupils studying in Salford schools unless they are at a higher level of need that triggers the need for an EHCP, at which point the LA where the child is resident becomes liable to pay top-up funding.

Binoh also continues to support its delivery of SEN services to OJC schools with its own fundraising and match-funding, including the provision of a school SEN resources library.

### **3. Equality issues in terms of similar services being offered to other faith groups.**



The Council's internal SEN teams continue to meet the needs of children of other faiths in our maintained schools as there are no equivalent non-OJC, full-time, faith-based schools in Salford.

## **Social Value**

The original tender process included an evaluation of Social Value and the delivery of the contract continues to deliver this, including a free loan service for specialist resources for children with SEN, including literature, equipment, materials and CDs and Binoh is accredited with 'Volunteer England', utilising volunteers throughout its wider programmes.

## **Approval of the potential future extensions**

The Strategic Director for People Services is not anticipating any changes in relation to the value of the contract, or in the advice in relation to PB's additional questions (above) but will again present an extension request in time for the final year of the contract from 01.09.20 to 31.08.21, if this is required by PB.

## **Recommendation**

It is recommended that the contract is extended from 01.09.19 to 31.08.20 as outlined in the original tender award.

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**KEY COUNCIL POLICIES:** Salford Council Accessibility Strategy 2014–17; Children's Services Accessibility Strategy; SEN Support – The Graduated Approach-Descriptors of Special Education Provision Expectations Document Updated June 2014 – Primary and Secondary Phase Schools Accessibility Strategy; SEN Support – The Graduated Approach – Descriptors of Special Education Provision Expectations Document Update June 2014 – Primary and Secondary Phase Schools

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**EQUALITY IMPACT ASSESSMENT AND IMPLICATIONS:** The original tender was designed following a review of current provision taking which including an assessment of equality needs and impacts on the service users. The winning bidder was tested against their compliance with Equality Legislation.

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**ASSESSMENT OF RISK:** If this contract is not awarded, there will be a break in SEN services. The local authority has statutory responsibilities to support all children with special educational needs and to make the provision required to meet these needs. This includes those Orthodox Jewish children with SEND who are educated in independent schools

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**SOURCE OF FUNDING:** DSG funding

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**LEGAL IMPLICATIONS** Submitted by: Tony Hatton, Principal Solicitor

When commissioning contracts for the provision of goods, services or the execution of works, the Council must comply with the provisions of the Public Contracts Regulations 2015 (PCR) and its own Contractual Standing Orders (CSO's) as set out in the Constitution, failing which the award or extension of a contract may be subject to legal challenge.

It is an established principle that an existing public contract is capable of being extended (or modified providing any modification does not affect the overall nature of the contract), and CSO's also allow for contract extensions to be made, where the parties agree and where the original contract makes provision for such an extension of the original term. The option to extend is therefore now being properly exercised.

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**FINANCIAL IMPLICATIONS:** Submitted by: Chris Mee, Strategic Finance Manager

Provision for the annual cost of this contract of £40,360 is built into the High Needs DSG revenue budget. The annual cost of this contract remains the same as 2018/19.

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**PROCUREMENT IMPLICATIONS:** Submitted by Chris Conway, Category Manager, Corporate Procurement Team

Procurement are happy to approve the proposed additional 12 month extension on the proviso that the service undertakes a review of future options for a possible collaborative retender with other interested Authorities during this extension period as the report indicates that 85% of Orthodox Jewish Schools in North Manchester are located in Salford. It is understood that a further extension may be sought next year for the final extension allowed under the original procurement exercise.

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**OTHER DIRECTORATES CONSULTED:** Not applicable.

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**CONTACT OFFICER:** Geoff Catterall (793 3312) Head Of Complex Needs SEN and Steve Titley, Commissioning Manager, People Directorate (793 2435)

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<b>WARD(S)</b>	<b>TO</b>	<b>WHICH</b>	<b>REPORT</b>	<b>RELATE(S):</b>	All
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Part 1 –Open to the public	ITEM NO.
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**REPORT OF**  
**The Strategic Director for People’s Directorate**  
**TO**  
**Procurement Board**  
**ON**  
**26<sup>th</sup> June 2019**

TITLE: Approval to award the contract for the acceptance of a tender under the school’s capital maintenance programme for works to renew roof coverings and upgrade insulation at Brentnall Primary School.

**RECOMMENDATION:**

That Procurement Board

Approve the award of the Contract for the works to Truline Construction and Interior Services Limited as detailed in the table below:

Detail required		
<b>Title/Description of Contracted Service/Supply/Project</b>	Roofing works to Brentnall Primary School	
<b>Name of Successful Contractor</b>	Truline Construction and Interior Services Limited	
<b>Supplier Registration Number</b> <i>(to be supplied by Corporate Procurement)</i>	05147564	
<b>Type of organisation</b> <i>(to be supplied by Corporate Procurement)</i>	Private Limited Company	
<b>Status of Organisation</b> <i>(to be supplied by Corporate Procurement)</i>	SME	
<b>Contract Award Price</b>	£263,353.85	Full Project
<b>Contract Value Including Fees and approved QRA (if applicable )</b>	£310,000.00	Full Project
<b>Contract Duration</b>	10 weeks	
<b>Contract Start Date</b>	20/07/2019	

<b>Contract End Date</b>	27/09/2019
<b>Optional Extension Period 1</b>	months
<b>Optional Extension Period 2</b>	months
<b>Who will approve each Extension Period?</b>	Choose an item.
<b>Contact Officer (Name &amp; number)</b>	Gregory Durkin 0161 779 4942
<b>Lead Service Group</b>	Children's Services
<b>How the contract was procured?</b> <i>(to be supplied by Corporate Procurement)</i>	Framework Call-off (Mini Competition)
<b>Framework Details (where applicable)</b> <i>(Procurement Body, Framework Reference &amp; Title, Start/End Dates, Hyperlink, etc.)</i>	Minor Building Works Framework Lot 2 Agreement
<b>Funding Source</b>	Capital Programme

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## EXECUTIVE SUMMARY:

The purpose of this report is to seek approval for the award of the above mentioned contract.

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## BACKGROUND DOCUMENTS (NOT OPEN TO THE PUBLIC)

Exempt under Paragraph 3 of Schedule 12 A of the Local Government Act 1972

“Tender Submissions and Evaluation documents”

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KEY DECISION: No

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## DETAILS:

### 1. **Background**

- 1.1 The works have been identified as a priority under the school’s Asset Management Plan (AMP) criteria. The roof covering has reached the end of its economic life and has had numerous repairs undertaken over recent years. It has reached the point that it is not considered economic to continue with ongoing patch repairs. There is also the risk of serious leaks occurring in exceptionally inclement weather conditions which may result in school closure.
- 1.2 On the basis of the above decisions were taken to provide for new roofing coverings and an upgrade to insulation to be funded under the 2019/20 schools capital maintenance programme.

## 2. The Procurement Process

- 2.1 The works for the project were tendered under the Council's e-tendering portal in accordance with Contractual Standing Orders. Tenders were let by mini competition under the Minor Building Works Framework Lot 2 Agreement.
- 2.2 Four companies submitted tenders and these have been evaluated in accordance with the selection criteria.
- 2.3 The evaluation scores are as follows:-

<b>Bidder</b>	<b>% Quality Score Max 30%</b>	<b>% Price Score Max 70%</b>	<b>%Overall Score Max 100%</b>
<b>T1</b>	<b>24.00</b>	<b>60.41</b>	<b>84.41</b>
<b>T2</b>	<b>22.00</b>	<b>70.00</b>	<b>92.00</b>
<b>T3</b>	<b>22.00</b>	<b>64.07</b>	<b>86.07</b>
<b>T4</b>	<b>24.00</b>	<b>57.26</b>	<b>81.26</b>

- 2.4 Following the evaluation process the company that scored highest in accordance with the selection criteria was Truline Construction and Interior Services Limited with a tender of £263,353.85. Their submission produced a score of 92.00% and represents the most economically advantageous offer to the Council.

## 3 Social Value

- 3.1 Truline Construction and Interior Services Limited stated the following in their submission:-

Truline as a Wigan based company has the required affinity to the GMCA region with a Corporate Social Responsibility and Social Value Policy to meet the Public Procurement (Social Value) Act 2012 duties to boost employability and address unemployment in the area adjacent to Brentnall Primary School. Consequently, Truline's Chairman is a CITB and Go Construct Ambassador and is a Steering Member of the Regional Construction Group demonstrating our commitment to community engagement, active citizenship and training of new recruits to construction. On award we will ensure any opportunities will be advertised through the Job Centre Plus Gateway Account and any appointments will be reported to your authority.

Truline is commitment to the National Living Wages as defined by the Living Wage Foundation and will on Framework Award provide documentary evidence of our membership and subscription to this employment standard. Our supplier and sub-contractors are required to complete a Pre- Qualification Questionnaire that includes a question on the number of directly employed staff and the encouragement of the use of labour local to the project area, whenever possible.

Truline will actively engage with the Brentnall Primary School to provide a H&S talk and construction career advice for the pupils. We will provide H&S related

competitions with the pupils to draw pictures to fix to our site safety hoardings and provide gifts to the children for their involvement in Considerate Construction related practices. We can get involved with sponsorship/donations to the school for green initiatives such as grow your own veg etc or assist in promoting healthy eating & sports initiatives, such as links to the Salford Rugby League club to use their Club Mascot as a promoter for H&S related campaign.

Our workforce profile, trainee intake and apprentice recruitment demonstrate our investment in skills through both Wigan and Leigh College and Liverpool John Moore's University. We have a designated HR Co-ordinator responsible to the Managing Director. He champions social value as well as monitoring that 100% of apprentices are retained on qualification, including displaced apprentices recruited through our safety net scheme to avoid unemployment for partially trained individuals.

On contract award we will actively seek displaced apprentices via CITB or construction placements via Manchester and Salford Groundwork Trust to assign to our supply chain to ensure that some training legacy is provided in the Salford area for the contract period.

Our suppliers will be required to conform to our Environmental Management ISO9001 standard for vehicle fleet modernisation and the encouragement of low carbon emissions as well as compliant waste management practices to meet our sustainability credentials. On the closure of the project we will produce a Social Return on Investment Report (SROI) calculating the economic and social benefit using MP3 gains to the locality as an indicator of benefit to the Greater Manchester region and Salford district. This summary report will detail all employment types and trades by postcode, material expenditure by builder's merchant by postcode and other goods and services by GMCA districts.

- 3.2 All the above outputs will be managed and monitored through a project-specific social value plan. The log will provide a schedule and results summary showing how the social value initiatives are progressing and achievements made.

The successful tenderer is a Wigan based SME and on completion of this work the proposed scheme will improve the education facilities for pupils and staff.

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KEY COUNCIL POLICIES: All relating to parents and children, inclusion and access to education. The Sustainable Development and Carbon Reduction Programme is also accounted for.

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EQUALITY IMPACT ASSESSMENT AND IMPLICATIONS: N/A

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ASSESSMENT OF RISK: Medium. The roof has reached the end of its economic life and the works are required to prevent the risk of school closure. If the school

were forced to close due to water ingress then the City Council would have difficulty in fulfilling its statutory duty in relation to the provision of sufficient school places.

The programme has been developed to achieve the delivery of the works to meet the necessary completion dates.

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**SOURCE OF FUNDING:** The funding sources currently available are those to support the Primary Schools Capital Maintenance Programmes and are detailed in reports previously submitted to Cabinet for approval.

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**LEGAL IMPLICATIONS:** Supplied by: Tony Hatton, Principal Solicitor, tel. 219 6323.

When commissioning contracts for the procurement of goods, services, or the execution of works, the Council must comply with the Public Contracts Regulations 2015 (PCR) and its own Contractual Standing Orders (CSO's), failing which a contract may be subject to legal challenge from an aggrieved provider. The proposed award of the contract follows a tender exercise by mini competition in accordance with the Council's Minor Building Works Framework Lot 2 Agreement.

The purpose of a framework agreement is to select through a procurement/ evaluation process a number of providers who can meet the service requirements of the Council, as and when those services are required. If they are required then the Council will undertake an exercise to call off the services from one or more of the providers who have been selected to be on the framework and this may be through any number of ways e.g. mini-competition, direct allocation etc. depending on the circumstances. A contract will then be formed between the Council and the chosen provider/s.

The Council will need to have followed the procedure set out in the framework agreement for mini competition to ensure the procurement process is compliant. Four tenders were received from framework suppliers for this project, which have been evaluated on the most economically advantageous tender basis in line with procurement procedures resulting in the proposed award of the contract to Truline Construction and Interior Services Limited. The procurement procedures therefore appear robust and compliant with the requirements of the Council's CSO's and public procurement legislation.

Legal Services will assist with preparing any contractual documentation upon receipt of instructions to ensure the Council's position and interest are protected.

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**FINANCIAL IMPLICATIONS:** Supplied by Alex Archer (Finance Manager) Tel. 778 0498

There is funding available under the Schools Capital Maintenance Programme to meet the total scheme costs of £310,000.00. (Tender cost £263,353.85 plus professional fees and associated costs of £46,646.15).

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PROCUREMENT IMPLICATIONS: Christine Flisk (Procurement Manager - Corporate Procurement Team) Tel. 0161 686 6245

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The project has been competitively tendered under the Council's Constitution governing contract procurement in accordance with a mini competition under the Minor Building Works Framework Lot 2 Agreement. The winning tenderer has submitted the most economically advantageous offer which also supports the Council's objectives of delivering social value on this contract.

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OTHER DIRECTORATES CONSULTED: N/A

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CONTACT OFFICER: Cathy Starbuck - Assistant Director TEL. NO. 0161 778 0183

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WARD(S) TO WHICH REPORT RELATE(S): All Wards

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Part 1 – Open to the public	ITEM NO.
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**REPORT OF**  
 The Strategic Director for Place  
**TO**  
 Procurement Board  
**ON**  
 26<sup>th</sup> June 2019

Approval for an Exception to Contractual Standing Orders to award a contract for Construction Services Job Costing System, Road Lineage, Tools & Equipment and Instant Road Repair in relation to the Transition of UV services.

**RECOMMENDATION:**

That the Procurement Board

- (1) Approve an exception to Contractual Standing Orders in accordance with Paragraph 3.1 as follows:
  - Specialist services/supplies which are available only from one supplier. For example, specialist niche consultants or suppliers where there is a sole supplier of patented or proprietary articles, or materials or services exclusively provided by a statutory undertaker or other bodies.
  - For reasons of compatibility with existing services/products – for example, equipment that needs parts from its own manufacturer.
  - Where the council can demonstrate that an integrated or strategic approach to procurement is being implemented and there is a requirement to align services or contracts to co-terminus end dates.
  - There are value for money reasons justifying an exception.
  
- (2) Approve the award of the Contract for Construction Services Job Costing System, Road Lineage, Tools & Equipment and Instant Road Repair as detailed in the table below:

Detail required	
<b>Title/Description of Contracted Service/Supply/Project</b>	Construction Services Job Costing System

<b>Name of Successful Contractor</b>	Causeway Technologies Ltd
<b>Supplier Registration Number</b> <i>(to be supplied by Corporate Procurement)</i>	03921897
<b>Type of organisation</b> <i>(to be supplied by Corporate Procurement)</i>	Private Limited Company
<b>Status of Organisation</b> <i>(to be supplied by Corporate Procurement)</i>	Non-SME
<b>Contract Value</b>	£100,000   Full Project
<b>Contract Duration</b>	39 months
<b>Contract Start Date</b>	01/01/2020
<b>Contract End Date</b>	30/04/2023
<b>Optional Extension Period 1</b>	0
<b>Optional Extension Period 2</b>	0
<b>Who will approve each Extension Period?</b>	Choose an item.
<b>Contact Officer (Name &amp; number)</b>	Shoib Mohammad
<b>Lead Service Group</b>	Place
<b>Reason for CSO Exception</b> <i>(select all that apply)</i>	The need for the goods, services or works is so urgent that the time needed to comply with the rules would be prejudicial to the Council's interests <input type="checkbox"/>
	Specialist services/supplies which are available only from one supplier. For example, specialist niche consultants or suppliers where there is a sole supplier of patented or proprietary articles, materials or services exclusively provided by a statutory undertaker or other bodies <input type="checkbox"/>
	For reasons of compatibility with existing services/products – for example, equipment that needs parts from its own manufacturer <input checked="" type="checkbox"/>
	Where any of the standing orders are inconsistent with any legislative requirements, in which instance the provisions of the appropriate legislation shall prevail <input type="checkbox"/>
	Where the Council can demonstrate that an integrated or strategic approach to procurement is being implemented and there is a requirement to align services or contracts to co-terminus end dates <input checked="" type="checkbox"/>
	There are value for money reasons justifying a CSO Exception <input type="checkbox"/>
	School Governors: in relation to the Local Management of Schools (LMS), where schools have adopted their own standing orders <input type="checkbox"/>
	The shared legal service, in respect of the appointment of counsel <input type="checkbox"/>
Strategic Director of CHSC: contracts for the provision of personal care services or facilities pursuant to the National Health Service and Community Care Act 1990 <input type="checkbox"/>	
<b>Funding Source</b>	Revenue Budget

Detail required	
<b>Title/Description of Contracted Service/Supply/Project</b>	Road Lineage
<b>Name of Successful Contractor</b>	K J Lines

<b>Supplier Registration Number</b> <i>(to be supplied by Corporate Procurement)</i>	03900183	
<b>Type of organisation</b> <i>(to be supplied by Corporate Procurement)</i>	Private Limited Company	
<b>Status of Organisation</b> <i>(to be supplied by Corporate Procurement)</i>	Non-SME	
<b>Contract Value</b>	£150,000	Full Project
<b>Contract Duration</b>	12 months	
<b>Contract Start Date</b>	01/10/2019	
<b>Contract End Date</b>	30/09/2020	
<b>Optional Extension Period 1</b>	0	
<b>Optional Extension Period 2</b>	0	
<b>Who will approve each Extension Period?</b>	Choose an item.	
<b>Contact Officer (Name &amp; number)</b>	Shoaib Mohammad	
<b>Lead Service Group</b>	Place	
<b>Reason for CSO Exception</b> <i>(select all that apply)</i>	The need for the goods, services or works is so urgent that the time needed to comply with the rules would be prejudicial to the Council's interests	<input type="checkbox"/>
	Specialist services/supplies which are available only from one supplier. For example, specialist niche consultants or suppliers where there is a sole supplier of patented or proprietary articles, materials or services exclusively provided by a statutory undertaker or other bodies	<input type="checkbox"/>
	For reasons of compatibility with existing services/products – for example, equipment that needs parts from its own manufacturer	<input type="checkbox"/>
	Where any of the standing orders are inconsistent with any legislative requirements, in which instance the provisions of the appropriate legislation shall prevail	<input type="checkbox"/>
	Where the Council can demonstrate that an integrated or strategic approach to procurement is being implemented and there is a requirement to align services or contracts to co-terminus end dates	<input checked="" type="checkbox"/>
	There are value for money reasons justifying a CSO Exception	<input checked="" type="checkbox"/>
	School Governors: in relation to the Local Management of Schools (LMS), where schools have adopted their own standing orders	<input type="checkbox"/>
	The shared legal service, in respect of the appointment of counsel	<input type="checkbox"/>
Strategic Director of CHSC: contracts for the provision of personal care services or facilities pursuant to the National Health Service and Community Care Act 1990	<input type="checkbox"/>	
<b>Funding Source</b>	Revenue Budget	

Detail required	
<b>Title/Description of Contracted Service/Supply/Project</b>	Tools & Equipment
<b>Name of Successful Contractor</b>	P F Cusacks
<b>Supplier Registration Number</b>	02404505

<i>(to be supplied by Corporate Procurement)</i>	
<b>Type of organisation</b> <i>(to be supplied by Corporate Procurement)</i>	Private Limited Company
<b>Status of Organisation</b> <i>(to be supplied by Corporate Procurement)</i>	Non-SME
<b>Contract Value</b>	£50,000   Full Project
<b>Contract Duration</b>	12 months
<b>Contract Start Date</b>	01/02/2020
<b>Contract End Date</b>	31/01/2021
<b>Optional Extension Period 1</b>	0
<b>Optional Extension Period 2</b>	0
<b>Who will approve each Extension Period?</b>	Choose an item.
<b>Contact Officer (Name &amp; number)</b>	Shoab Mohammad
<b>Lead Service Group</b>	Place
<b>Reason for CSO Exception</b> <i>(select all that apply)</i>	The need for the goods, services or works is so urgent that the time needed to comply with the rules would be prejudicial to the Council's interests <input type="checkbox"/>
	Specialist services/supplies which are available only from one supplier. For example, specialist niche consultants or suppliers where there is a sole supplier of patented or proprietary articles, materials or services exclusively provided by a statutory undertaker or other bodies <input type="checkbox"/>
	For reasons of compatibility with existing services/products – for example, equipment that needs parts from its own manufacturer <input checked="" type="checkbox"/>
	Where any of the standing orders are inconsistent with any legislative requirements, in which instance the provisions of the appropriate legislation shall prevail <input type="checkbox"/>
	Where the Council can demonstrate that an integrated or strategic approach to procurement is being implemented and there is a requirement to align services or contracts to co-terminus end dates <input checked="" type="checkbox"/>
	There are value for money reasons justifying a CSO Exception <input type="checkbox"/>
	School Governors: in relation to the Local Management of Schools (LMS), where schools have adopted their own standing orders <input type="checkbox"/>
	The shared legal service, in respect of the appointment of counsel <input type="checkbox"/>
	Strategic Director of CHSC: contracts for the provision of personal care services or facilities pursuant to the National Health Service and Community Care Act 1990 <input type="checkbox"/>
<b>Funding Source</b>	Revenue Budget

Detail required	
<b>Title/Description of Contracted Service/Supply/Project</b>	Instant Road Repair
<b>Name of Successful Contractor</b>	Viatec Ltd
<b>Supplier Registration Number</b> <i>(to be supplied by Corporate Procurement)</i>	05642795

<b>Type of organisation</b> <i>(to be supplied by Corporate Procurement)</i>	Private Limited Company	
<b>Status of Organisation</b> <i>(to be supplied by Corporate Procurement)</i>	Non-SME	
<b>Contract Value</b>	£50,000	Full Project
<b>Contract Duration</b>	12 months	
<b>Contract Start Date</b>	01/02/2020	
<b>Contract End Date</b>	31/01/2021	
<b>Optional Extension Period 1</b>	0	
<b>Optional Extension Period 2</b>	0	
<b>Who will approve each Extension Period?</b>	Choose an item.	
<b>Contact Officer (Name &amp; number)</b>	Shoaib Mohammad	
<b>Lead Service Group</b>	Place	
<b>Reason for CSO Exception</b> <i>(select all that apply)</i>	The need for the goods, services or works is so urgent that the time needed to comply with the rules would be prejudicial to the Council's interests	<input type="checkbox"/>
	Specialist services/supplies which are available only from one supplier. For example, specialist niche consultants or suppliers where there is a sole supplier of patented or proprietary articles, materials or services exclusively provided by a statutory undertaker or other bodies	<input checked="" type="checkbox"/>
	For reasons of compatibility with existing services/products – for example, equipment that needs parts from its own manufacturer	<input checked="" type="checkbox"/>
	Where any of the standing orders are inconsistent with any legislative requirements, in which instance the provisions of the appropriate legislation shall prevail	<input type="checkbox"/>
	Where the Council can demonstrate that an integrated or strategic approach to procurement is being implemented and there is a requirement to align services or contracts to co-terminus end dates	<input type="checkbox"/>
	There are value for money reasons justifying a CSO Exception	<input type="checkbox"/>
	School Governors: in relation to the Local Management of Schools (LMS), where schools have adopted their own standing orders	<input type="checkbox"/>
	The shared legal service, in respect of the appointment of counsel	<input type="checkbox"/>
	Strategic Director of CHSC: contracts for the provision of personal care services or facilities pursuant to the National Health Service and Community Care Act 1990	<input type="checkbox"/>
<b>Funding Source</b>	Revenue Budget	

- (3) Note that prior to the end of the period of time covered by the exception as indicated in 2 above, the Strategic Director will determine whether the service is to be decommissioned or, in consultation with the Corporate Procurement Team, will agree to undertake a compliant procurement process to re-let the contract by the end of the exception period.

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**EXECUTIVE SUMMARY:**

The purpose of this report is to request an exception to Contractual Standing Orders to approve the award of a contract for Construction Services Job Costing System, Road Lineage, Tools & Equipment and Instant Road Repair.

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BACKGROUND DOCUMENTS: N/A

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KEY DECISION: No

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DETAILS:

In preparation for services at Urban Vision (UV) coming back to the council from 1<sup>st</sup> February 2020, Salford City Council (SCC) has been undertaking a transition programme in preparation to receive and operate the service with minimal disruption.

One of the key parts of the transition programme covers the SCC readiness to run the services effectively and efficiently from 1st February 2020, which includes ensuring we have the relevant procurement strategy in place to receive and operate the service. As such there is a Procurement work stream which is putting the necessary steps in place to have compliant routes to market for all services, materials and contractors required by the service.

There has been a detailed analysis undertaken of the current suppliers to UV and procurement strategy identified in order to ensure the continuity of service and its effective performance post transfer. As such, there is a requirement to procure and manage contracts with third party suppliers, and to procure goods and services as and when they are required to allow for continuity of delivery.

The purpose of this report is to brief the Procurement Board on the planned procurement activity required for the smooth transition of UV, and to apply for an exception to Contractual Standing Orders to maintain some contracts with current providers for a period of time. This will ensure job continuity and maintenance of the supply chain in an interim period in order to allow a more planned and integrated approach to procurement post transfer.

### **EXCEPTIONS REQUIRED**

The above tables outline each of the contracts which an exception is being sought, the value of the contract, the current supplier, the period of time for which the extension is being applied, and the funding stream.

A description of the service and the reasons for applying for each of the exceptions is detailed below;

### **Construction Services Job Costing System**

This service is currently provided by a system called CPA. The system maps costs against jobs raised at the depot, estimated at around 3,000 jobs per annum. The system manages the input of time of operatives, plant and vehicles, contracts and materials into the jobs which then provide costs per job for the purposes of recharging the relevant cost centres within the Council.

The current system has been in place at UV for over 10 years, links to other systems within the Depot, which are transferring back to SCC, and is an important element in the overall running of the Depot. At this stage, in order to bring back the service as is and ensuring continuity of service, and with a view to reviewing the systems once they are in house, an exemption will be required.

### **Road Lineage**

This service is currently provided by K J Lines who have worked with the Depot since before its transfer to UV and therefore have an extremely good and trusted working relationship with the Depot who can call on them to undertake work at very short notice. Currently the contract is let annually, has been benchmarked in 18/19 in terms of cost and value for money and we have explored if this supplier is on any existing frameworks but unfortunately they are not. We envisage that SCC will need a contractor for Road Lineage to be in place by October 19 and given this we are requesting an exemption to procure K J Lines for a 12 month period to ensure continuity of provision.

### **Depot Tools and Equipment**

Tools and equipment for the Depot is currently provided by a company called P F Cusacks. Through discussion with the Depot they have tried and tested a number of companies over the years and have found this company to have the most reliable and best quality equipment. Again, we have explored if this supplier is on any existing frameworks but unfortunately they are not. So to ensure that the service can perform as is and to have the right specification of tools and equipment immediately after transfer we are seeking an exemption for a 12 month period to ensure continuity of service for the depot.

### **Instant Road Repair**

This is a specific material that the Depot uses for small pot hole repair. The Depot has researched and tested a number of suppliers for this material, currently provided by a company called Viatic Ltd, and have found this material to be the most suitable and reliable of the different suppliers. We have explored if this supplier is on any existing frameworks but they are not so to ensure that the Depot can continue to use this specialised material we are seeking an exemption for a 12 month period to ensure continuity of service for the depot immediately post transfer.

The four exemptions requested above will allow for provision of some of the services, materials and equipment necessary to ensure continuity of service

provision with a view to reviewing the arrangements once they have returned in house and either decommission the service or undertaking a compliant procurement process to re-let the contract at the end of the exception period.

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#### KEY COUNCIL POLICIES:

Enhancing Life in Salford, Think Efficiency, Improving the Environment.

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EQUALITY IMPACT ASSESSMENT AND IMPLICATIONS:- N/A

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#### ASSESSMENT OF RISK:

Checks have been undertaken to review if the detailed current suppliers are available to commission through existing arrangements/frameworks however, these suppliers are not available through those routes. The risk of not having these suppliers available to UV over the transition period relate to the ability to be able to continue to provide the service, cost jobs and have compatible equipment and supplies in place to allow for a smooth transition.

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#### SOURCE OF FUNDING:

Approved Highways Capital (£9.036m) and Revenue (£2.831m) Budgets 2019/20

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LEGAL IMPLICATIONS: Supplied by: Tony Hatton, Principal Solicitor, tel. 219 6323

When commissioning contracts for the procurement of goods, services or the execution of works the Council as a 'contracting authority' must comply with the Public Contract Regulations 2015 (PCR) as well as the provisions of its own Contractual Standing Orders (CSO's), Financial Regulations and the duties of Best and Social value, failing which the award of a contract may be subject to legal challenge.

In exceptional circumstances where CSO's permit, the Council may dispense with strict compliance of its CSO's, and the report sets out the reasons for the request for the exception, in accordance with paragraph 3.1 of CSO's, the namely specialist services/supplies to be provided, an integrated/strategic approach to procurement being implemented with a requirement to align services or contracts to co-terminus end dates, and value for money, to ensure job continuity and maintenance of the supply chain in an interim period in order to allow a more planned and integrated approach to procurement post transfer. Whilst exceptions to CSO's may be authorised by an approval from the Procurement Board, there is still a risk of challenge from aggrieved providers if the usual tender process has not been followed on the basis that it ought to have been advertised and put out to competition.



The risk of challenge increases with the value and duration of any proposed contract being awarded. Here the period proposed is relatively short with a very tight time scale for delivery. To assist in minimising the possibility of successful challenge, the Council is planning a full and comprehensive procurement exercise for a strategic partner and a minor highways framework. The Council is not avoiding full public tender but is introducing interim contractual arrangements to allow time to better prepare for procurement.

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FINANCIAL IMPLICATIONS: Supplied by: Alison Woods, Finance Officer, Tel. 925 1335

Date:- 17th June 2019

There are appropriate budgets in place to provide for all of the expenditure associated with the aforementioned contracts for Construction Services (Job Costing System, Road Lineage, Tools & Equipment and Instant Road Repair). This expenditure is presently recovered via the delivery of the Highways Capital and Revenue programme budgets for 2019/20 (£9.036m and £2.831m respectively) and this arrangement will continue to be in place post the transfer of Construction Services back to Salford City Council from 1st February 2020.

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PROCUREMENT IMPLICATIONS: Supplied by: The Corporate Procurement Team

This report seeks approval for an exception to Salford City Council's Contractual Standing Orders.

The Council's Procurement Board has the authority to grant a waiver to Contractual Standing Orders, and the reasons for requesting an exception in this instance is outlined in the report.

There are always risks associated with applying an exception to the Council's Contractual Standing Orders and when making such a request, as this could potentially lead to a challenge from an aggrieved supplier if the contract opportunity was not sufficiently advertised in accordance with the Council's Contractual Standing Orders.

The risk of challenge increases with the proposed term and value of the contract. However, because the Council is proposing a short term arrangement, and this is through a 'specialist' provider along with reasons of compatibility, a requirement to align services or contracts to co-terminus end dates and value for money, therefore this risk could be deemed to be low.

The outlined procurement strategy approach allows for the smooth transition of UV back into Salford City Council, on the 1st February 2020. This indicates that the Procurement Board has the power to grant an exception and award the contracts on the grounds indicated in the report.

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OTHER DIRECTORATES CONSULTED: N/A

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CONTACT OFFICER: Hayley Nixon

TEL. NO. 686 7413

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WARD(S)	TO	WHICH	REPORT	RELATE(S):	None
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Part 1 – Open to the public	ITEM NO.
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REPORT OF  
The Strategic Director for Place  
TO  
Procurement Board  
ON  
26<sup>th</sup> June 2019

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TITLE: Procurement of a Minor Civils framework, Drainage Improvement supplier and Strategic Partner.

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RECOMMENDATION:

That Procurement Board endorse to start the procurement process for a:

- Minor Civils Framework
  - Drainage Improvement supplier
  - Strategic Partner
- 

EXECUTIVE SUMMARY:

The purpose of this report is to request approval to go out competition for the delivery of the above mentioned service.

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BACKGROUND DOCUMENTS: N/A

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KEY DECISION: No

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DETAILS:

In preparation for services at Urban Vision (UV) coming back to the council from 1<sup>st</sup> February 2020, Salford City Council (SCC) has been undertaking a transition programme in preparation to receive and operate the service with minimal disruption.

One of the key parts of the transition programme covers the SCC readiness to run the services effectively and efficiently from 1<sup>st</sup> February 2020, which includes ensuring we have the relevant procurement strategy in place to receive and operate the service. As such there is a Procurement work stream which is putting the necessary arrangements in place to have compliant routes to market for all services, materials and contractors required by the service.

There has been a detailed analysis undertaken of the current suppliers to UV and procurement strategy identified in order to ensure the continuity of service and its effective performance post transfer. As such, there is a requirement to procure and manage contracts with third party suppliers, and to procure goods and services as and when they are required to allow for continuity of delivery.

The purpose of this report is to request going out to tender to start the planned procurement activity required for the smooth transition of UV.

## **PLANNED PROCUREMENT ACTIVITY**

The table at Appendix A lists each of the items which have been identified in scope to procure over the next financial year up to October 2019, the estimated value of the contract, the proposed method of procurement, and the funding stream. There will be other planned procurement activity towards the end of this current financial year which there will be a further report brought to the Procurement Board to agree each.

### **Minor Civils Framework**

Currently UV tender for minor highways jobs individually and rely on a local supply chain to undertake these works. Therefore, it is proposed to set up an SCC Minor Civils Framework through a tender procedure via the Chest. It is envisaged that there will be a lotting structure of,

Lot 1 :<£250k Single Award to the one contractor awarded the Lot

Lot 2 :>£250k Mini Competition between the suppliers on this Lot

The value would be up to, but not guaranteed, at a total value of £4m for an 18 month period. This would secure the contractors to undertake these works from Oct 2019 to March 2021. This would provide SCC time in 2020 to undertake a larger, OJEU compliant, procurement process for a longer time period once the service has returned in house.

### **Drainage Improvement Programme**

Currently UV tender for the Drainage Improvement Programme annually, therefore to have a contractor in place for Feb 2020 SCC will need to procure this service from Oct 2019.

It is proposed to go out to an open tender process via Chest to procure these services which includes undertaking highway surface water drainage surveys using CCTV, repair and/or replace highway drainage systems and replacement damaged

or obsolete gully cover, frame and pots. Between both the revenue and capital funded elements of the work this has totalled c£580k in previous years and so we would be looking to procure for a similar value dependent on budget availability.

### **Strategic Partner**

Whilst core services will be delivered in house by staff returning from secondment and those transferring across from Capita and GT, it has been recognised that additional top up services will be required and these are best delivered via a strategic partner with no exclusivity or guaranteed turnover.

The team within Regeneration held a market engagement event with suppliers in January to help us decide how best to procure a partner. There was a great deal of interest with suppliers keen to work with Salford and various procurement routes have been explored. The project team are proposing to begin the process with the procurement team to undertake an OJEU compliant procurement exercise in 2019 looking at technical, development and corporate lots.

#### **KEY COUNCIL POLICIES:**

Enhancing Life in Salford, Think Efficiency, Improving the Environment

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EQUALITY IMPACT ASSESSMENT AND IMPLICATIONS: N/A

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#### **ASSESSMENT OF RISK:**

The risk of not being able to go out to tender for these services will mean that UV will not have the ability to be able to continue to provide the service in place to allow for a smooth transition and continuity of service.

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#### **SOURCE OF FUNDING:**

See financial comments below.

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**LEGAL IMPLICATIONS:** Supplied by: Tony Hatton, Principal Solicitor, tel. 219 6323

When commissioning contracts for the procurement of goods, services or the execution of works the Council as a 'contracting authority' must comply with the Public Contract Regulations 2015 (PCR) as well as the provisions of its own Contractual Standing Orders (CSO's), Financial Regulations and the duties of Best and Social value, failing which the award of a contract may be subject to legal challenge.

The report sets out that the Council proposes to enter into an OJEU compliant procurement process for the appointment of a strategic partner. Undertaking a

compliant tender exercise will give some comfort to the Council in ensuring that value for money is being obtained and tested, with open competition maintained. The carrying out of a compliant procurement exercise will ensure that the risk of challenge to the award of the contract to the selected contractor is minimal and that any challenge, should it materialise, is unlikely to be successful.

Once the minor highways framework has been set up, again using a fully compliant process, the arrangement will enable the Council to call-off the specified services against the agreed set of terms etc. should it wish to do so within the lifespan of the framework. The framework itself is not a contract and it must be made clear to providers on the framework that the Council is under no obligation to guarantee a certain volume of work or any work to any of the providers who are on it. Effectively being party to the agreement does not place any obligation on the Council (or any other eligible authority) to use the framework, but provides them with the opportunity to do so.

The maximum term for the framework agreement will be a 4 year period, and the terms and conditions established under the framework govern the contracts let under it, although each contract will inevitably have some differences to reflect the agreement struck between the parties to the contract. At the end of this potential 4 year period, the framework must be dissolved and suppliers for highways works re-competed for. If necessary a new framework can then be established. This again ensures that value for money can be periodically tested and open competition maintained. The period of the individual contracts established under the framework can be as long or as short as the authority requires, and may be entered into at any time during the period of the framework arrangement.

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FINANCIAL IMPLICATIONS: Supplied by: Alison Woods, Finance Officer, Tel. 925 1135

Date:- 17th June 2019

There are approved Capital and Revenue budgets in place for the financial year 2019/20, to allow for the procurement of the Minor Civils Framework and Drainage Improvement Programme, in accordance with the Council's Contractual Standing Orders via an open tender and in line with the figures provided in Appendix A.

Further detail will be required when available regarding the appointment of a strategic partner to support the delivery of post transition services, in order to appropriately comment on the financial implications.

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PROCUREMENT IMPLICATIONS: Supplied by: The Corporate Procurement Team

Procuring both the Minor Civils Framework and Drainage Improvement Programme through an open tender procedure via the Chest complies with both EU legislation and Salford City Council's Contractual Standing Orders. The Council is not avoiding full public tender (i.e. advertising to OJEU) but is introducing interim contractual arrangements to allow time to better prepare for procurement, following the expiry of

the current Strategic Partnership contract with Urban Vision on the 31st January 2020.

An OJEU compliant procurement exercise will be undertaken to procure a new Strategic Partner, which complies with Salford City Council's Contractual Standing Orders. At this stage, the full scope, value of work and procurement route to market is not clear, but this detail will follow in a further report at a later date once fully defined.

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**OTHER DIRECTORATES CONSULTED:**

List other parts of the organisation consulted with if applicable. Also identify if this is a joint report and if it is, also reflect this in the Heading

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**CONTACT OFFICER:** Hayley Nixon

**TEL. NO.**686 7413

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**WARD(S) TO WHICH REPORT RELATE(S):** None

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<b>APPENDIX A – PLANNED PROCUREMENT ACTIVITY</b>			
<b>Title/Description of Service/Supply/Project</b>	<b>Strategic Partner</b>	<b>Minor Highways Framework</b>	<b>Drainage Improvement Programme</b>
<b>Approximate Project or Annual Value</b>	No minimum value	£4m	£580k in 18/19 (Likely to be reduced in 20/21)
<b>Funding Stream</b>	Capital	Capital	Revenue/ Capital
<b>Commencement of Procurement Activity</b>	October 2019	June 2019	October 2019

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Part 1 – Open to the Public	ITEM NO.
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REPORT OF

The Strategic Director for Service Reform

TO

Procurement Board

ON

26<sup>th</sup> June 2019

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TITLE: Approval to Award the Contract for Citrix ‘CVAD’ Enterprise licensing.

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RECOMMENDATION:

That Procurement Board approve the award of the Contract for Citrix ‘CVAD’ Enterprise Licensing as detailed in the table below:

Detail required	
<b>Title/Description of Contracted Service/Supply/Project</b>	Citrix ‘CVAD’ Enterprise Licensing
<b>Name of Successful Contractor</b>	Phoenix Software Ltd
<b>Supplier Registration Number</b> <i>(to be supplied by Corporate Procurement)</i>	<b>02548628</b>
<b>Type of organisation</b> <i>(to be supplied by Corporate Procurement)</i>	Private Limited Company
<b>Status of Organisation</b> <i>(to be supplied by Corporate Procurement)</i>	Non-SME
<b>Contract Value</b>	£349,800.00   Full Project
<b>Contract Duration</b>	36 Months
<b>Contract Start Date</b>	24/06/2019
<b>Contract End Date</b>	24/06/2022
<b>Optional Extension Period 1</b>	n/a
<b>Optional Extension Period 2</b>	n/a
<b>Who will approve each Extension Period?</b>	n/a

<b>Contact Officer (Name &amp; number)</b>	David Hunter
<b>Lead Service Group</b>	Service Reform
<b>How the contract was procured?</b> <i>(to be supplied by Corporate Procurement)</i>	Framework Call-off (Mini Competition)
<b>Framework Details (where applicable)</b> <i>(Procurement Body, Framework Reference &amp; Title, Start/End Dates, Hyperlink, etc.)</i>	Crown Commercial Services Technology Products 2 RM3733
<b>Funding Source</b>	Capital Programme

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#### EXECUTIVE SUMMARY:

The purpose of this report is to seek approval for the award of the above mentioned contract.

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#### KEY DECISION:

No, the total value of contract is less than £350,000

#### BACKGROUND DOCUMENTS:

Report to Procurement Board 18<sup>th</sup> October 2017 stating planned procurement activities Appendix B

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#### DETAILS:

##### 1. Background

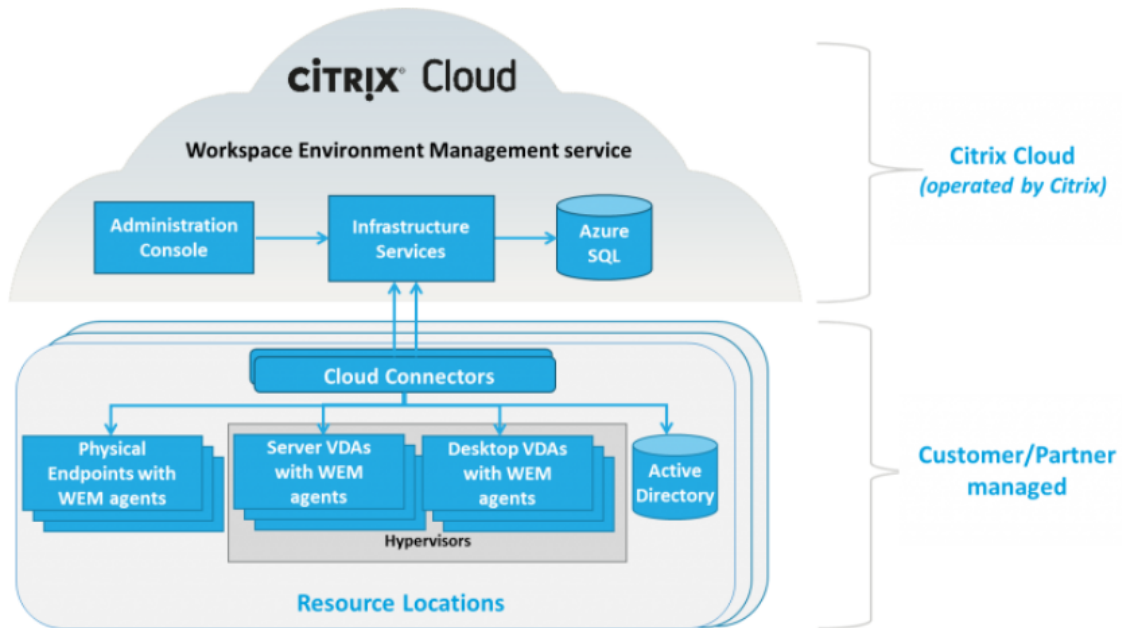
The authority has been using Citrix technologies to make its line of business applications available for three years. Citrix technologies further the authority's agile working strategies by enabling applications to be run on many computing devices, including mobile operating systems, iPads, Android devices and Microsoft Windows. The authority currently deploys around 40 of the most used line of business applications by Citrix, such as SAP, CareFirst, CivicaAPP and Capita One (EMS).

Citrix Virtual Applications and Desktops (CVAD) allow an application to be installed once and then used by thousands of devices and users. The single installation of the application can then be easily updated instead of having to update many installations across different devices saving in productivity.

CVAD technologies have enabled savings in the datacentre by decreasing the duplication of resources.

Across the organisation Citrix increases efficiencies by providing fast access to the applications that provide solutions.

These 3300 CVAD Workspaces licences [LOT2] will enable the continued use of Citrix over the next three years and have the added benefit of allowing the migration of some of the Citrix infrastructure into the Citrix Cloud, thereby freeing resources in the SCC datacentre.



## 2. The Procurement Process

A mini-competition process was held between all 19 providers on Lot 3 of the Crown Commercial Services Technology Products 2 Framework. 2 completed bids were returned.

Tender evaluation weightings were set at 85% Price and 15% Quality.

After an evaluation of the two bids the outcome is shown below;

Lot 2

Applicant No.	Company Name	Quality Score (15%)	Price Score (85%)	Total score	Ranking
1	Comparex	12.0%	72.6%	84.6%	2
2	Phoenix Software	12.0%	85.0%	97.0%	1

It is therefore recommended that the contract is awarded to the provider that submitted the Most Economically Advantageous Tender (MEAT), Phoenix Software.

### 3. Social Value

As part of their tender submission Phoenix Software demonstrated that they are an accredited Living Wage Employer. They have also offered the following commitments through their bid;

- Working with the Council to develop a formal community benefits plan.
- Engage with schools and colleges within Salford to offer the delivery of career guidance.
- Engage with the council to discuss the potential to recruit suitable candidates into their apprenticeship scheme.
- Engaging with local charities and local 3rd sector interface organisations to see how they can support projects in the local community. Examples included donating equipment or offering volunteers from their workforce.

### 4. Costs

	Capital	2019/20	2020/21	2021/22	Total
<b>Projected Citrix budgeted costs</b>		133,000	133,000	133,000	<b>399,000</b>
<b>Bid Cost</b>					
Citrix CVAD Licences For 3 years		116,600	116,600	116,600	<b>348,800</b>
<b>Projected Efficiency over 3 years</b>					<b>50,200</b>

### 5. Conclusions

The refresh of the Council's Citrix CVAD Enterprise software is essential to the future digital delivery of software applications and services to all our users that will enable the agility and flexibility required in the modern workforce.

The level of investment required falls within existing revenue streams and using advances in technology we will be able to significantly increase the performance and capacity of solutions whilst delivering further productivity gains across our user base.

A 3 year licence deal allows us to make some efficiencies on our projected budgetary requirements for this product.

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KEY COUNCIL POLICIES: Digital Strategy

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EQUALITY IMPACT ASSESSMENT AND IMPLICATIONS: N/A

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**ASSESSMENT OF RISK:**

If LOT2 is not purchased on schedule then access to many of the line of business applications will be lost by a large proportion of SCC staff, including SAP, CareFirst, Capita One. Around 400 staff will lose all access to computing.

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**SOURCE OF FUNDING:** The Citrix CVAD Licences will be sourced from the Enterprise XP Revenue cost centre within the current ICT budget.

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**LEGAL IMPLICATIONS:** Submitted by: Tony Hatton, Principal Solicitor, tel. 219 6323

When commissioning contracts for the procurement of goods, services, or the execution of works, the Council must comply with the Public Contracts Regulations 2015 (PCR) and its own Contractual Standing Orders (CSO's), failing which a contract may be subject to legal challenge from an aggrieved provider. The proposed award of the contract follows a tender exercise by mini competition in accordance with the process set out in the Crown Commercial Services Technology Products 2 (RM 3733) framework, which itself was procured in accordance with CSO's, which will help to ensure that the risk of challenge to the award of contract to Phoenix Group Limited is minimal and that any challenge, should it materialise, is extremely unlikely to be successful.

The purpose of a framework agreement is to select through a procurement/evaluation process a number of providers who can meet the service requirements of the Council, as and when those services are required. If they are required then the Council will undertake an exercise to call off the services from one or more of the providers who have been selected to be on the framework and this may be through any number of ways such as mini-competition or direct allocation, depending on the circumstances. A contract will then be formed between the Council and the chosen provider/s.

The Council will need to have followed the procedure set out in the framework agreement to ensure the procurement process is compliant. In any event only one tender was received from framework suppliers for this project, which has been evaluated in accordance with published criteria resulting in the proposed award of the contract to Phoenix Group Limited. The procurement procedures therefore appear robust and compliant with the requirements of CSO's and PCR.

Legal Services will assist with preparing any contractual documentation upon receipt of instructions to ensure the Council's position and interest are protected.

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**FINANCIAL IMPLICATIONS:** Submitted by: Joanne Garvin Ext 2793

The funding is expected to come from the current revenue budget within ICT Services. It is anticipated that expenditure will be within the programmed level.

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PROCUREMENT IMPLICATIONS: Submitted by: Emma Heyes, Category manager, The Corporate Procurement Team 686-6243

The procurement process followed is compliant with the Council's Contractual Standing Orders.

Following the approval to award the Crown Commercial Services framework call-off documentation will need to be drawn up between Phoenix Software and the Council, along with the Council's Seal, due to the value of the contract being in excess of £75k.

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OTHER	DIRECTORATES	CONSULTED:
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CONTACT OFFICER:	David Hunter	TEL. NO. 793-3911
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WARD(S) TO WHICH REPORT RELATE(S): N/A

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Part 1 – Open to the Public
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ITEM NO.
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REPORT OF  
The Strategic Director for Service Reform  
TO  
Procurement Board  
ON  
26<sup>TH</sup> June 2019

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TITLE: Approval to Award the Contract for Citrix ADC Licences and Hardware

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RECOMMENDATION:

That Procurement Board approve the award of the Contract for Citrix Application Delivery Controller (ADC) software licences and associated hardware as detailed in the table below:

Detail required	
<b>Title/Description of Contracted Service/Supply/Project</b>	Citrix ADC Licensing
<b>Name of Successful Contractor</b>	Phoenix Software Ltd
<b>Supplier Registration Number</b> <i>(to be supplied by Corporate Procurement)</i>	<b>02548628</b>
<b>Type of organisation</b> <i>(to be supplied by Corporate Procurement)</i>	Private Limited Company
<b>Status of Organisation</b> <i>(to be supplied by Corporate Procurement)</i>	Non-SME
<b>Contract Value</b>	£106,497.00   Full Project
<b>Contract Duration</b>	36 Months
<b>Contract Start Date</b>	01/07/2019
<b>Contract End Date</b>	30/06/2022
<b>Optional Extension Period 1</b>	n/a
<b>Optional Extension Period 2</b>	n/a

<b>Who will approve each Extension Period?</b>	n/a
<b>Contact Officer (Name &amp; number)</b>	David Hunter
<b>Lead Service Group</b>	Service Reform
<b>How the contract was procured?</b> <i>(to be supplied by Corporate Procurement)</i>	Framework Call-off (Mini Competition)
<b>Framework Details (where applicable)</b> <i>(Procurement Body, Framework Reference &amp; Title, Start/End Dates, Hyperlink, etc.)</i>	Crown Commercial Services Technology Products 2 RM3733
<b>Funding Source</b>	Capital Programme

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**EXECUTIVE SUMMARY:**

The purpose of this report is to seek approval for the award of the above mentioned contract.

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**BACKGROUND DOCUMENTS:**

Report to Procurement Board 18<sup>th</sup> October 2017 stating planned procurement activities Appendix B

2018/19 Capital Programme Report

**KEY DECISION:**

No

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**DETAILS:**

**1. Background**

Citrix ADC (formerly Netscaler) [LOT1] is a gateway appliance used for securely delivering web and networking applications to end clients and between infrastructure services both internally and externally across the internet.

Citrix ADC was implemented as the Microsoft recommended replacement for their ISA server to provide strong encryption, threat mitigation, authentication (supporting both primary and 2 factor) and acceleration of web application and services both on premise and cloud hosted.

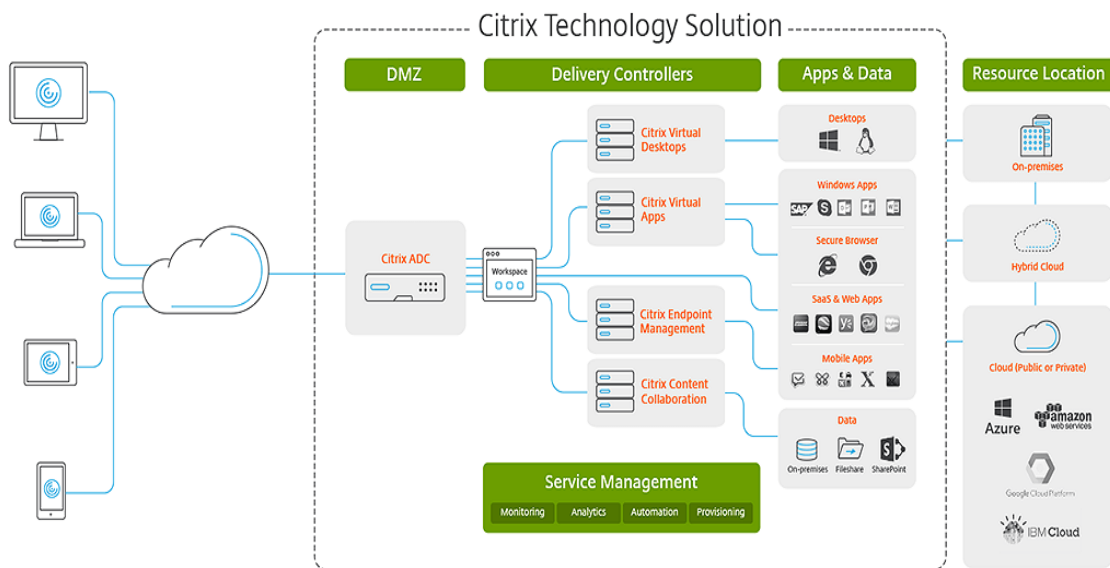


Our ADC implementation provides secure access for external access to our Citrix virtual applications and desktops utilised via mobile devices and laptops as well as external partners such as Aspire and the ICO (SRFT). Mobile device management of authority owned iPads is also provisioned via ADC allowing deployment and secure wiping and delivery of requisite mobile applications on-demand by the end user.

Secure web site access is also provided via ADC to our main web site and Yourzone and allows strong authentication to view payslips. Many existing line of business applications including Carefirst, SAP, EMS, Documentum, CAMS and ModGov are already provided and secured by Citrix ADC. Many other network services such as Microsoft ADFS, DNS, mobile device management are provided by the current ADC implementation.

Our current implementation consists of 3 physical appliances running multiple individual instances that leverage high availability between instances and appliances for resilience. The renewal hardware refresh reduces this to 2 appliances only as the need for a third is no longer necessary as Salix services are not provisioned by ICT.

The new licence model obtained allows for flexible migration of network bandwidth between the on-premise appliances and cloud hosted ADC instances as we look to leverage further cloud technology for the Authority.



## 2. The Procurement Process

A mini-competition process was held between all 19 providers on Lot 3 of the Crown Commercial Services Technology Products 2 Framework. 2 completed bids were returned.

Tender evaluation weightings were set at 85% Price and 15% Quality.

After an evaluation of the two bids the outcome is shown below;

Lot 1

Applicant No.	Company Name	Quality Score (15%)	Price Score (85%)	Total score	Ranking
1	Comparex	12.0%	84.3%	96.3%	2
2	Phoenix Software	12.0%	85.0%	97.0%	1

It is therefore recommended that the contract is awarded to the provider that submitted the Most Economically Advantageous Tender, Phoenix Software.

### 3. Social Value

As part of their tender submission Phoenix Software demonstrated that they are an accredited Living Wage Employer. They have also offered the following commitments through their bid;

- Working with the Council to develop a formal community benefits plan.
- Engage with schools and colleges within Salford to offer the delivery of career guidance.
- Engage with the council to discuss the potential to recruit suitable candidates into their apprenticeship scheme.
- Engaging with local charities and local 3rd sector interface organisations to see how they can support projects in the local community. Examples included donating equipment or offering volunteers from their workforce.

### 4. Costs

	Capital	2019/20	2020/21	2021/22	Total
<b>Projected Netscaler as is costs</b>		13,638	13,638	13,638	<b>40,914</b>
<b>Bid Cost</b>					
Citrix ADC Technology Hardware & Licences For 3 years	£106,497				£106,497
<b>Total</b>					<b>-£65,583</b>

## 5. Conclusions

The refresh of the Council's Application Delivery Controllers is essential to the future digital delivery of software applications and services to all our users that will enable the agility and flexibility required in the modern workforce.

The level of investment required falls within existing capital and revenue streams and using advances in technology we will be able to significantly increase the performance and capacity of solutions whilst delivering further productivity gains across our user base.

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KEY COUNCIL POLICIES: Digital Strategy

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EQUALITY IMPACT ASSESSMENT AND IMPLICATIONS: N/A

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### ASSESSMENT OF RISK:

The Authority's current hardware is currently 7 years old and nearing end of life – Citrix will withdraw any support for our current edition of hardware in April 2021 with chargeable support only available from 2020. Without procuring the proposed license model the Authority will not be able to leverage the security provided by Citrix ADC in current and future cloud development and deployments by migrating available ADC bandwidth to frontend Microsoft Azure services

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SOURCE OF FUNDING: The Citrix ADC will be sourced from the Technology Refresh capital programme.

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LEGAL IMPLICATIONS: Submitted by: Tony Hatton, Principal Solicitor, tel. 219 6323

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FINANCIAL IMPLICATIONS: Submitted by: Joanne Garvin Ext 2793

The funding is expected to come from the current capital Technology Refresh programme for 2018/19/20, It is anticipated that expenditure will be within the programmed level.

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PROCUREMENT IMPLICATIONS: Submitted by: Emma Heyes, Category manager, The Corporate Procurement Team 686-6243

The procurement process followed is compliant with the Council's Contractual Standing Orders.

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CONTACT OFFICER:	David Hunter	TEL. NO. 793-3911
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WARD(S) TO WHICH REPORT RELATE(S): N/A

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