

## Decisions taken by the Procurement Board on Wednesday, 10 August 2022

Agenda Item No	Topic	Decision
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### Part A – Items considered in public

A7	Approval to Award the Contract for Campbell Road Play Area	<p style="text-align: center;"><b>Salford City Council - Record of Decision</b></p> <p>I Councillor Hinds, Lead Member for Finance and Support Services and Chairman of the Procurement Board, in exercise of the powers contained within the Council Constitution do hereby approve:</p> <ul style="list-style-type: none"> <li>the award of the contract for construction of a new children’s play area to Campbell Road Playing Field as detailed in the table below:</li> </ul> <table border="1" data-bbox="689 807 1736 1385"> <thead> <tr> <th data-bbox="689 807 1167 871">Detail required</th> <th data-bbox="1167 807 1736 871">Answers</th> </tr> </thead> <tbody> <tr> <td data-bbox="689 871 1167 967"><b>Title/Description of Contracted Service/Supply/Project</b></td> <td data-bbox="1167 871 1736 967">Construction of a new play area to Campbell Road Playing Fields, Swinton</td> </tr> <tr> <td data-bbox="689 967 1167 1023"><b>Name of Successful Contractor</b></td> <td data-bbox="1167 967 1736 1023">Groundwork Landscapes Ltd</td> </tr> <tr> <td data-bbox="689 1023 1167 1142"><b>Supplier Registration Number</b> <i>(to be supplied by Corporate Procurement)</i></td> <td data-bbox="1167 1023 1736 1142">01339901</td> </tr> <tr> <td data-bbox="689 1142 1167 1262"><b>Type of organisation</b> <i>(to be supplied by Corporate Procurement)</i></td> <td data-bbox="1167 1142 1736 1262">Private Limited Company</td> </tr> <tr> <td data-bbox="689 1262 1167 1385"><b>Status of Organisation</b> <i>(to be supplied by Corporate Procurement)</i></td> <td data-bbox="1167 1262 1736 1385">SME</td> </tr> </tbody> </table>	Detail required	Answers	<b>Title/Description of Contracted Service/Supply/Project</b>	Construction of a new play area to Campbell Road Playing Fields, Swinton	<b>Name of Successful Contractor</b>	Groundwork Landscapes Ltd	<b>Supplier Registration Number</b> <i>(to be supplied by Corporate Procurement)</i>	01339901	<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
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		<p>Section 106 Contributions received from the developments at: £382,474.15 from Land at Campbell Road (s106 ref: 369 – planning application 17/70853/FUL).</p> <p>Legal Advice obtained:</p> <p>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 Minor Building Works Framework Agreement Lot 6.</p> <p>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.</p> <p>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. Five 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 Groundwork Landscapes Ltd. The procurement procedures therefore appear robust and compliant with the requirements of the Council's CSO's and PCR</p> <p>Financial Advice obtained:</p>

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		<p>Expenditure associated with the aforementioned contract award, to a total of £357,851.85, will be funded from £440,503.15 of received Section 106 Contributions, from developments on land at Campbell Road (s106 ref: 369 – planning application 17/70853/FUL).</p> <p>It should also be noted that RIBA stage 5 &amp; 6 costs associated with this scheme, amounting to £24,622.30, will be met from the same source of Section 106 Contributions (S106 ref: 369 – planning application 17/70853/FUL), subject to approval.</p> <p>Procurement Advice obtained:</p> <p>The project was procured through SCC Minor Civils Framework Lot 6 where all selected companies were invited to a mini competition. The process is compliant with the Procurement Contract Regulations and SCC contractual standing orders.</p> <p>HR Advice obtained: N/A</p> <p>Climate Change Implications obtained:</p> <p>Climate change implications are considered through the planning application process, and where relevant appropriate mitigation will be identified through planning conditions and/or planning obligations. The Section 106 contributions can only be used towards specific mitigation in accordance with the respective Section 106 agreement.</p> <p>The following documents have been used to assist the decision process: Report of The Strategic Director for Place to Procurement Board on 10th August 2022.</p>

**Salford City Council – Decisions taken by the Procurement Board on Wednesday, 10 August 2022**

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		<p>Report of The Strategic Director for Place to Lead Member for Planning and Sustainable Development Briefing on 18th March 2022.</p> <p>ROD 339 – Beechfield Allotments and Campbell Road Open Space 22nd November 2019</p> <p>Contact Officer:                      Ian Worsley (Greenspace)                      Tel no: 07977 508767                      Steve Davey (s106)                                Tel no: 0161 793 3762</p> <p>This matter is not subject to consideration by another Lead Member.</p> <p>The appropriate Scrutiny Committee to call-in the decision is the Community and Neighbourhoods Scrutiny Panel.</p> <p>Signed: _____ Cllr Hinds                      Dated: _____ 10 August 2022                      _____                      Lead Member</p> <p>-</p> <hr/> <p>FOR DEMOCRATIC SERVICES USE ONLY</p> <p>*            This decision was published on 10 August 2022</p> <p>*            This decision will come in force at 4.00 p.m. on            17 August 2022 unless it is called-in in accordance with the Decision Making Process Rules.</p>

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<p><b>A11</b></p>	<p>Approval for an Exception to Contractual Standing Orders for the award of 17 individual packages of short break care and to approve the use of the Manchester Flexible Purchasing Scheme for the commissioning of short break care for children with special educational need and disability (SEND)</p>	<p align="center"><b>Salford City Council – Record of Decision</b></p> <p>I Councillor Hinds, Lead Member for Finance and Support Services and Chairman of the Procurement Board, in exercise of the powers contained within the Council Constitution do hereby approve:</p> <ul style="list-style-type: none"> <li>An exception to Contractual Standing Orders as permitted within the City Council Constitution for the reason(s) highlighted in the table below and the award of the Contract for Individual short break packages of care for 17 children with disabilities and their parent carers and approval to use the Manchester City Council, Flexible Purchasing Scheme, as detailed in the table below:</li> </ul> <table border="1"> <thead> <tr> <th data-bbox="689 794 1285 852">Detail required</th> <th data-bbox="1285 794 2022 852">Answers</th> </tr> </thead> <tbody> <tr> <td data-bbox="689 852 1285 970"> <p><b>Title/Description of Contracted Service/Supply/Project</b></p> </td> <td data-bbox="1285 852 2022 970"> <p>Individual short break packages of care for 17 children with disabilities and their parent carers and approval to use the MCC Flexible Purchase Scheme</p> </td> </tr> <tr> <td data-bbox="689 970 1285 1023"> <p><b>Name of Successful Contractor</b></p> </td> <td data-bbox="1285 970 2022 1023"> <p>Various</p> </td> </tr> <tr> <td data-bbox="689 1023 1285 1114"> <p><b>Supplier Registration Number</b> <i>(to be supplied by Corporate Procurement)</i></p> </td> <td data-bbox="1285 1023 2022 1114"></td> </tr> <tr> <td data-bbox="689 1114 1285 1204"> <p><b>Type of organisation</b> <i>(to be supplied by Corporate Procurement)</i></p> </td> <td data-bbox="1285 1114 2022 1204"> <p>Other</p> </td> </tr> <tr> <td data-bbox="689 1204 1285 1295"> <p><b>Status of Organisation</b> <i>(to be supplied by Corporate Procurement)</i></p> </td> <td data-bbox="1285 1204 2022 1295"> <p>SME</p> </td> </tr> <tr> <td data-bbox="689 1295 1285 1348"> <p><b>Contract Value (£)</b></p> </td> <td data-bbox="1285 1295 2022 1348"> <p>£ Various</p> </td> </tr> <tr> <td data-bbox="689 1348 1285 1409"> <p><b>Contract Duration</b></p> </td> <td data-bbox="1285 1348 2022 1409"> <p>36 months</p> </td> </tr> </tbody> </table>	Detail required	Answers	<p><b>Title/Description of Contracted Service/Supply/Project</b></p>	<p>Individual short break packages of care for 17 children with disabilities and their parent carers and approval to use the MCC Flexible Purchase Scheme</p>	<p><b>Name of Successful Contractor</b></p>	<p>Various</p>	<p><b>Supplier Registration Number</b> <i>(to be supplied by Corporate Procurement)</i></p>		<p><b>Type of organisation</b> <i>(to be supplied by Corporate Procurement)</i></p>	<p>Other</p>	<p><b>Status of Organisation</b> <i>(to be supplied by Corporate Procurement)</i></p>	<p>SME</p>	<p><b>Contract Value (£)</b></p>	<p>£ Various</p>	<p><b>Contract Duration</b></p>	<p>36 months</p>
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		<p><b>legislation</b></p> <p><b>Reason for CSO Exception: The execution of works or the supply of goods and services is required so urgently as not to permit compliance with the requirements of competition</b></p> <p><b>Reason for CSO Exception: Security works where the publication of documents or details in the tendering process could prejudice the security of SCC and Salford residents</b></p> <p><b>Reason for CSO Exception: Procurements made through, or on behalf of, any consortium, local authority, statutory or similar body, provided that tenders or quotations are invited and contracts placed in accordance with national or EU legislation.</b></p> <p><b>Funding Source</b></p> <p><b>Ethical Contractor (EC): Mayor’s Employment Charter</b></p> <p><b>EC: Committed to sign up to the Charter</b></p> <p><b>EC: Accredited Living Wage Employer</b></p> <p>Tick if it applies <input type="checkbox"/></p> <p>Tick if it applies <input type="checkbox"/></p> <p>Tick if it applies <input type="checkbox"/></p> <p>Choose an item.</p> <p><input type="checkbox"/></p> <p>x<input type="checkbox"/></p> <p>x<input type="checkbox"/></p> <p>The reasons for this exception are that:</p>
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**Salford City Council – Decisions taken by the Procurement Board on Wednesday, 10 August 2022**

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		<p>Salford City Council has a legal duty to provide short breaks for children with disabilities and their parent carers as per 'The Breaks for Carers of Disabled Children Regulations (2011). Approval for current individual packages of care is authorised and delegation to the Strategic Director, People, for authorisation of each individual package of care up to the value of £150,000 beyond 2022-23.</p> <p>The existing contractual arrangements for commissioning individual packages of short break care will end on 31 March 2023 and cannot meet current demand. Where the current provider cannot meet demand, any new packages of care will be commissioned through the Manchester Flexible Purchasing Scheme from 1 August 2022 and from 1<sup>st</sup> April 2023, the FPS will be the route for commissioning all individual short break packages of care. During the transitioning to the FPS, authorisation for spot purchase of individual packages of care if required.</p> <p><b>Options considered and rejected were</b></p> <p>Continue with spot purchase arrangements for individual short break care packages. This was rejected on the grounds of not providing assurance of best value for Salford City Council in meeting its legal obligation to provide short breaks for children with disabilities and their parent/carers.</p> <p>Develop a Salford Framework for short breaks. This was rejected on the grounds of the Manchester Flexible Purchasing Scheme (FPS) is in place and available for all GM local authorities to use to find appropriate support packages for children with disabilities. The specification has been developed with input from parent/carers and children with disabilities. Its usage will represent a substantial saving in officer and provider time rather than a Salford Framework for a relatively small number of children.</p> <p><b>Assessment of risk</b></p> <p>There is currently no formal approval in place for the spot purchase arrangements for individual packages of short breaks. If SCC does not use the FPS there is a risk that there will be continued reliance on meeting</p>

**Salford City Council – Decisions taken by the Procurement Board on Wednesday, 10 August 2022**

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		<p>the needs of disabled children and young people through spot purchase arrangements which may not achieve best value.</p> <p><b>The source of funding is</b> The cost of individual packages will need to be met from within the approved Children’s revenue budget allocation for Short Breaks for 2022/23.</p> <p>This is a demand led budget and any continued pressures in 2022/23 will therefore need to be managed within the overall Children’s Services budget and/or further use of any available covid funding.</p> <p><b>Legal advice obtained</b> Yes, from Richard Purcell, Principal Solicitor, Commercial Legal Team</p> <p><b>Financial advice obtained</b> Yes, from Chris Mee, Strategic Finance Manager</p> <p><b>Procurement advice obtained</b> Yes, from Christine Flisk, Senior Procurement Manager</p> <p><b>HR advice obtained</b> Not applicable</p> <p><b>Climate change implications obtained</b> Yes, Mike Hemingway, Climate Change Principal Officer</p>

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Agenda Item No	Topic	Decision
		<p><b>Documents used</b></p> <p>The relevant documents contain exempt or confidential information and are not available for public inspection.</p> <hr/> <p><b>Contact details</b></p> <p>Contact Officer: Karen Smith, Senior Commissioning Manager Telephone number: 07977 196237</p> <p>Please delete from the bullets below any which are not relevant</p> <ul style="list-style-type: none"> <li>• The Lead Member has been consulted and is supportive of the proposed contract.</li> <li>• This matter is not subject to consideration by another Lead Member.</li> <li>• The appropriate Scrutiny Committee to call-in the decision is the Children's Scrutiny Committee</li> </ul> <p>Signed: <u>    Cllr Bill Hinds    </u>      Dated: 10 August 2022                     Lead Member</p> <hr/> <p>FOR DEMOCRATIC SERVICES USE ONLY</p>

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<b>Agenda Item No</b>	<b>Topic</b>	<b>Decision</b>
		<p>* This decision was published on 10 August 2022</p> <p>* This decision will come in force at 4.00 p.m. on 17 August 2022 unless it is called-in in accordance with the Decision Making Process Rules.</p>
<b>A1</b>		
<b>A2</b>		