

**TELFORD & WREKIN COUNCIL
CABINET – 18TH FEBRUARY 2021**

PROCUREMENT UPDATE

REPORT OF DIRECTOR OF HEALTH, WELLBEING & COMMISSIONING

LEAD CABINET MEMBER – CLLR RAE EVANS

PART A) – SUMMARY REPORT

1. SUMMARY OF MAIN PROPOSALS

A regular report for Members to consider the update of the Council's Procurement Intentions Document and update them on the latest information regarding effective procurement and contract management

2. RECOMMENDATION

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| 2.1 | Cabinet to note the procurement updates in this report |
| 2.2 | Cabinet to note the Procurement Intentions Document (Appendix A) |

3. SUMMARY IMPACT ASSESSMENT

COMMUNITY IMPACT	Do these proposals contribute to specific Co-Operative Council priority objective(s)?	
	Yes	Best value procurement in line with the Contract Procedure Rules promote engagement of local suppliers and stakeholders
	Will the proposals impact on specific groups of people?	
	No	
TARGET COMPLETION/DELIVERY DATE	The Procurement Intentions Document is a live document regularly updated by SDMs throughout the year with updates to Cabinet every 4 to 6 months dependent upon activity.	
FINANCIAL/VALUE FOR MONEY IMPACT	Yes	The award of contracts should be within the approved budgetary framework and in accordance with the financial strategy. Local government continues to face an uncertain financial future. Delivering savings through effective procurement is therefore an important feature of the budget strategy with over £14.2m delivered over the last 9 years. Active contract management also ensures continued value for money is achieved through the life of contracts. Improving social outcomes through the procurement process could also lead to reduced demand on services and potentially lower costs to the Council and other public service organisations within the area. TAS 14.01.21

LEGAL ISSUES	Yes	<p>The procurement intentions document, Appendix A, is a transparent way to allow all businesses to be able to see and prepare for forthcoming procurements that the Council will be undertaking. Chief Officer delegations are in place so no formal delegations are required but Members are asked to note the proposed procurements.</p> <p>All contracts awarded must comply with relevant international trade obligations and any national requirements as well as provisions contained within the Council's Contract Procedure Rules and advice will be provided by the Procurement Team and/or Legal Services, if appropriate.</p> <p>EH 15.1.21</p>
OTHER IMPACTS, RISKS & OPPORTUNITIES	Yes	<p>The Procurement Intentions Document is published externally. This helps the Council's supply chain prepare for up and coming tender opportunities.</p>
IMPACT ON SPECIFIC WARDS	No	

PART B) – ADDITIONAL INFORMATION

4. INFORMATION

- 4.1 We officially left the EU in December, but in the world of procurement, we are still working within the spirit of the EU Treaty Principles¹ alongside the World Trade Organisation guidance and the Agreement on Government Procurement. In short, this means that we no longer advertise our above threshold requirements across Europe but, we are required to advertise these across the UK. We do this through the Find a Tender² service instead of the Official Journal of the European Union. This is all managed by officers through our existing eTendering Portal and, whilst regulations are likely to be made over the coming months which may change existing requirements, for now little has practically changed.
- 4.2 State Aid rules in their current form no longer exist and there is no transition period. However, guidance published by the government on 31 December 2020 highlighted the various international treaty obligations and set out that it expects Councils to comply with them. To a large extent the effect of no longer having EU State Aid principles means that there is more restriction as aspects such as General Block Exemption Rules are no longer available to rely upon. Further information and regulation is anticipated to be published in the coming months and work will be done to ensure that Officers are fully aware of the Council's obligations moving forward.

¹ <https://www.gov.uk/guidance/public-sector-procurement-policy>

² <https://www.gov.uk/find-tender>

- The Procurement Green paper has been published and interested parties have been asked to comment by mid-March. The positive proposals are:
 - Permitting buyers to consider economic, environmental and social considerations, together with wider government priorities (such as national security) to award contracts on the basis of the “most advantageous tender” – this supports our social value policy
 - Cutting red tape to give better access to SMEs, including creating a central digital platform where suppliers need only register once to apply for multiple public sector procurements;
 - Reforming the current “extreme urgency” ground and creating new clearly defined grounds for crisis procurement to enable swift procurements
- 4.3 The Council has officers working as part of a regional and national working group to respond to the paper and will be linking those responses to our Council priorities
- 4.4 Attached at Appendix A is the latest procurement intentions document. This provides information as to those procurements that have stalled due to COVID and those where we have extended contracts and those procurements that will take place later in the year.

5. **IMPACT ASSESSMENT – ADDITIONAL INFORMATION**

6. **PREVIOUS MINUTES**

Procurement Update CAB 30 8th October 2020

7. **BACKGROUND PAPERS**

Appendix A Procurement Intentions Document Jan 2021

Report prepared by Sarah Bass, Commissioning Procurement & Brokerage Ext 82470