

## ABERDEEN CITY COUNCIL

---

<b>COMMITTEE</b>	Strategic Commissioning Committee
<b>DATE</b>	27 August 2020
<b>EXEMPT</b>	Not exempt:  Covering Report; Appendix 1 – Workplan, Summary of business cases  Exempt: Yes – Paragraph 8  Appendix 2  The report refers to the amount of any expenditure proposed to be incurred by the authority under any particular contract for the acquisition of property or the supply of goods or services provided that disclosure to the public of the amount there referred to would be likely to give an advantage to a person or organisation entering, or seeking to enter, a contract with the Council.
<b>CONFIDENTIAL</b>	No
<b>REPORT TITLE</b>	Workplan & Business Cases – Revenue
<b>REPORT NUMBER</b>	COM/20/109
<b>DIRECTOR</b>	Rob Polkinghorne
<b>CHIEF OFFICER</b>	Craig Innes
<b>REPORT AUTHOR</b>	Craig Innes
<b>TERMS OF REFERENCE</b>	3.1.1

---

### 1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to present procurement workplans where expenditure is included for the Commissioning and Operations Functions to Committee for review and to seek approval of the total estimated expenditure for the proposed contracts as contained in the Procurement Business Cases appended to the report.

### 2. RECOMMENDATIONS

It is recommended that the Committee: -

- 2.1 reviews the workplans as detailed in the Appendices;  
2.2 approves the estimated annual expenditure for framework agreements within financial year 20-21 as detailed within the appendices;  
2.3 approves the procurement business cases, including the total estimated expenditure for the proposed contracts; and

- 2.4 approves the direct awards of contract where there are special circumstances outlined in the respective procurement business cases which justify not issuing a tender or calling off from a framework agreement.

### **3. BACKGROUND**

- 3.1 The ACC Procurement Regulations 2020 require that authority to incur expenditure must be sought prior to any invitation to tender or contract entered into. The method of authorising depends upon the contract value, with contracts above £50,000 (supplies/services) or £250,000 (works) to be listed on a workplan with an associated Procurement Business Case and submitted by the relevant Chief Officer to the Strategic Commissioning Committee (Revenue budget only), and/or to City Growth and Resources Committee (Capital and Capital with Revenue implications). The approval of the applicable Committee is required prior to the procurement being undertaken.
- 3.2 The ACC Procurement Regulations 2020 also require that if aggregated expenditure via framework agreements will exceed £50,000 (supplies/services) or £250,000 (works), then the authority of the Strategic Commissioning Committee to incur the expenditure must be obtained in advance of the applicable thresholds being exceeded. Aggregate expenditure via framework agreements will be reported annually by the Commercial & Procurement Shared Service where expenditure is recurring, though expenditure will be cross council in many cases.
- 3.3 Committee is asked to review the Commissioning and Operations Functions workplans and to approve the expenditure detailed in the Procurement Business Cases appended to the report.
- 3.4 There are no business cases for the Customer or Resources Function this cycle.

### **4. FINANCIAL IMPLICATIONS**

- 4.1 The indicative value of the proposed contracts is shown within the workplan in the Appendices. The ability to have an overview of contract expenditure is aligned to Core Outcomes of the LOIP and the whole systems commissioning cycle approach. The refreshed approach to governance ensures that all contracts are aligned to the approved budget provision for each financial year with controls in place for flexibility if required. This also assists the Council in meetings its statutory duty to keep a Contracts Register.

### **5. LEGAL IMPLICATIONS**

- 5.1 The contracts shall be procured in accordance with procurement legislation and the Commercial Legal Team within C&PS shall provide legal advice where necessary.

## 6. MANAGEMENT OF RISK

Category	Risk	Low (L) Medium (M) High (H)	Mitigation
<b>Strategic Risk</b>	Contract expectations not being monitored/managed	M	Employees involved in Procurement Activity are required to complete online training modules in Contract Management.
<b>Compliance</b>	Failure to comply with internal procurement regulations and procurement legislation	L	Engagement with the Commercial Legal Team within the Commissioning Function.
<b>Operational</b>	Unable to control demand	M	Ongoing focus on demand reduction strategies, contract terms developed to be more flexible
<b>Financial</b>	Escalation of costs	L	A strong focus on value for money in all commissioning activities.
	Differing market conditions depending on commodity/service	M	Use of Business Intelligence to help predict market changes and trends.
<b>Reputational</b>	Insufficient information provided by officers, lack of transparency	M	A scrutiny process has been established to ensure sufficient/relevant information is provided.
<b>Environment/Climate</b>	Failure to consider sustainable options.	L	Ensure all contracts consider environmental considerations.

## 7. OUTCOMES

<b><u>COUNCIL DELIVERY PLAN</u></b>	
<b>Impact of Report</b>	
<b>Aberdeen City Council Policy Statement</b>	The ability to have an overview of contract expenditure is aligned to Core Outcomes of the LOIP and the whole systems commissioning cycle approach.
<b>Aberdeen City Local Outcome Improvement Plan</b>	
Stretch Outcomes (Prosperous Economy/People/Place)	Community Benefits requirements are incorporated into all ACC Procurement Activity, consideration is given to the Stretch Outcomes within the LOIP at the development phase.
<b>Regional and City Strategies</b>	The proposals within the business cases appended to this report support Key Regional and City Strategies, details of anticipated outcomes are contained within each the business cases.
<b>UK and Scottish Legislative and Policy Programmes</b>	Each of the business cases appended to the report contains details of the legislative and policy programmes to be complied with.

## 8. IMPACT ASSESSMENTS

<b>Assessment</b>	<b>Outcome</b>
<b>Impact Assessment</b>	Not required
<b>Data Protection Impact Assessment</b>	Not required

## 9. BACKGROUND PAPERS

None.

## 10. APPENDICES

### **Public**

Appendix 1 Summary Workplan – Commissioning & Operations

Appendix 3 3:10 Memo summary

### **Private**

Appendix 2 Commissioning & Operations Workplan, and business cases

## 11. REPORT AUTHOR CONTACT DETAILS

<b>Name</b>	Craig Innes
<b>Title</b>	Head of Commercial & Procurement Services
<b>Email Address</b>	<a href="mailto:CInnes@aberdeencity.gov.uk">CInnes@aberdeencity.gov.uk</a>
<b>Tel</b>	01224 665650