

ABERDEEN CITY COUNCIL

COMMITTEE	Strategic Commissioning Committee
DATE	23 June 2022
EXEMPT	Yes – Paragraph 8 Part exempt – Appendices 2 & 5-15; otherwise public.
CONFIDENTIAL	No
REPORT TITLE	Work Plan & Business Cases – Revenue
REPORT NUMBER	COM/22/105
DIRECTOR	Gale Beattie
CHIEF OFFICER	Craig Innes
REPORT AUTHOR	Mel Mackenzie
TERMS OF REFERENCE	3.1.1

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to present procurement work plans where expenditure is included for the Commissioning, Customer, Operations and Resources 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

That the Committee: -

- 2.1 reviews the workplans as detailed in the Appendices for the Commissioning, Customer, Operations and Resources Functions;
- 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;
- 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;
- 2.5 delegates authority to the Chief Officer – Digital & Technology, following consultation with the Head of Commercial and Procurement, to procure the necessary digital and technology contract as listed within the Customer Work Plan as shown Appendix 1 & 2 subject to approval of a Procurement Business Case by the Demand Management Control Board; and
- 2.6 notes the content of Appendix 3 – Summary of 3.10 Memo's (Suspension of Procurement Regulations due to Urgency) and Appendix 4 Summary of 4.1.3 Forms (Technical Exemption).

3. CURRENT SITUATION

- 3.1 The ACC Procurement Regulations 2021 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 2021 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, Customer, Resources and Operations Function work plans and to approve the expenditure detailed in the Procurement Business Cases appended to the report.

4. FINANCIAL IMPLICATIONS

- 4.1 The indicative value of each of the proposed contracts is shown within the workplan and 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 robust 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, legal commentary has been sought and is included within each Procurement Business Case.

6. ENVIRONMENTAL IMPLICATIONS

- 6.1 Consideration is included within each Procurement Business Case as to how the proposed contract will support the Council's climate commitments. If these are not to be included, officers are asked to confirm why this is the case. Standard wording is included in procurement templates to ensure this is captured at tender stage through to awarded contract.

7. RISK

Category	Risks	Primary Controls/Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H) *taking into account controls/control actions	*Does Target Risk Level Match Appetite Set?
Strategic Risk	Contract expectations not being monitored or managed.	Contract Management consideration in business cases, guidance and training available for officers	M	Yes
Compliance	Failure to comply with internal procurement regulations and procurement legislation	Robust process for review of individual business cases and proposed approach to procurement.	L	Yes
Operational	Unable to control demand	Robust process and focus on demand reduction strategies, contract terms developed to be more flexible.	L	Yes
Financial	Escalation of costs Differing market conditions depending on commodity or service	A strong focus on value for money in all commissioning activities and market engagement or use of Business Intelligence to engage with market / ascertain changes/trends.	M	Yes
Reputational	Insufficient information provided by officers, lack of transparency.	Robust process for review of individual business cases and proposed approach to procurement.	L	Yes

Environment/Climate	Failure to consider sustainable options.	Environmental consideration within business cases and environmental clauses within tender documents.	L	Yes
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8. OUTCOMES

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

9. IMPACT ASSESSMENTS

Assessment	Outcome
Integrated Impact Assessment	Not required
Data Protection Impact Assessment	Not required
Other	Not required

10. BACKGROUND PAPERS

None

11. APPENDICES

Public

Appendix 1 – Workplan Public

Appendix 3 – Summary of 3.10 Memo's

Appendix 4 – Summary of 4.1.3 Forms

Private

Appendix 2 – Workplan Private

Appendix 5 – 15 Business Cases

11. REPORT AUTHOR CONTACT DETAILS

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