

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Cabinet

1st August 2018

Report of the Head of Legal Services – Mr C Griffiths

Matter for Decision

Wards Affected: All Wards

Delegation of authority for contracts in respect of corporate services and framework agreement

Purpose of the Report

1. To seek approval to transfer the delegated authority granted to the Head of ICT and Corporate Procurement by the Policy and Resources Cabinet Board on Wednesday 8th March 2017 to the Head of Legal Services to:
 - (a) make awards to suppliers who have been appointed to External Organisations' Frameworks to enable the Council to enter into arrangements for the provision of various corporate services for the periods set out in the respective Frameworks and in line with the respective Framework terms; and
 - (b) to establish and enter into Framework Agreements (and any subsequent call off arrangements) for such corporate services where the Council does not utilise an existing Framework by an External Organisation on such terms and conditions to be determined by the Head of Legal Services (the "Delegated Authority")

Executive Summary

2. The report seeks authorisation to transfer the Delegated Authority to the Head of Legal Services.

Background

3. On 15th January 2018 Personnel Committee determined that the procurement function under the responsibility of the Head of ICT and Corporate Procurement would transfer to the Head Legal Services.
4. The transfer of the procurement function took effect from 2nd July 2018.
5. The Head of Legal Services now has responsibility for the Corporate Procurement Unit that conducts procurement exercises relating to corporate services.
6. For various corporate services such as stationery, clothing, food, the Council utilises a number of frameworks set up by organisations such as the National Procurement Services, Crown Commercial Services, ESPO, NEPRO and other local authorities. The terms and conditions of these and the pricing is often set and the Council merely runs a competition to determine which of the organisations appointed to the Framework shall provide the services to the Council. Delegated Authority to award a tender and to enter into a contract is sought to ensure that tenders can be awarded for such common spend in accordance with the timescales necessary. The Policy and Resources Cabinet Board previously granted this authority to the Head of ICT and Corporate Procurement and in light of the transfer of procurement functions it would be requested that a similar approval be granted to the Head of Legal Services.
7. For the avoidance of doubt, the Delegated Authority does not have any impact on any contractual arrangements under frameworks that relate to specific projects and areas other than corporate services (such as, for example, engineering, environment, financial services, etc) and the latter will continue to be brought to the respective Cabinet / Cabinet Boards for acceptance and award or will be accepted and awarded by the respective Head of Service utilising his/her respective delegated authority and the Delegated Authority is in relation to the procurement of corporate services which now rests with the Head of Legal Services.
8. Any contracts or framework agreements awarded will at all times comply with the requirements of the Neath Port Talbot Contract Procedure Rules and any contracts over the value of £250,000 will still be subject to sign off in consultation with the Cabinet Member for Corporate Services and Equality

Equality Impact Assessment

9. This requirement does not require an Equality Impact Assessment.

Financial Impact

10. There is no financial impacts associated with this report.

Workforce Impacts

11. There are no workforce impacts associated with this report.

Legal Impacts

12. There are no legal impacts associated with this report.

Risk Management

13. There are no risk management issues associated with this report.

Consultation

14. There is no requirement under the Constitution for external consultation on this item.

Recommendations

15. That
 - (a) delegated authority be granted to the Head of Legal Services to make awards to suppliers who have been appointed to External Organisations' Frameworks to enable the Council to enter into arrangements for the provision of various corporate services for the periods set out in the respective Frameworks and in line with the respective Framework terms.
 - (b) delegated authority be granted to the Head of Legal Services Procurement to establish and enter into Framework Agreements (and any subsequent call off arrangements) for such corporate services where the Council does not utilise an existing Framework by an External Organisation on such terms and conditions to be determined by the Head of Legal Services.

Reasons for Proposed Decision

16. To ensure that contracts and framework agreements can be awarded efficiently and within the timescales necessary

Appendices

17. None

List of Background Papers

18. Report to Personnel Committee of the 15th January 2018

Report to Policy and Resources Cabinet Board of the 8th March 2017

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