



Derby City Council

COUNCIL CABINET

10 June 2015

ITEM 15

Report of the Cabinet Member for Strategy and Policy

Use of Frameworks

SUMMARY

- 1.1 There are a wide range of Regional and National Frameworks which are available for the Council to access.
- 1.2 15.9 of the Contract Procedure Rules states "Framework Agreements procured by other local authorities, public bodies or purchasing consortia, for example Government Procurement Service (GPS), Members of the Pro 5 local government procurement consortia or East Midlands Property Alliance / Scape, may be used if the Head of Procurement and a Cabinet member has approved their use on being satisfied that the Council can lawfully use them and that it is in the Council's interest to do so."
- 1.3 Regional and National Frameworks offer a quicker compliant route to market compared to undertaking a full OJEU (Official Journal of European Union) procurement process.
- 1.4 It has been some time since the use of frameworks list has been updated; therefore the opportunity is being taken to compile the current list and seek approval from Cabinet.

RECOMMENDATION

- 2.1 To approve the use of the Framework Agreements which have been conducted by the Organisations listed in 4.1.

REASONS FOR RECOMMENDATION

- 3.1 By having access to a number of Regional and National approved Frameworks, Council Officers can procure goods, services and works through them without having to conduct full procurement processes which are time-consuming.
- 3.2 The use of frameworks will bring further benefits to the Council, such as:
 - Compliance with contract procedure rules.
 - Releasing officer time as they are only required to conduct a mini competition process.
 - Shorter timeframes to engagement as the main OJEU procurement process has already been done.

- Collaborative approach enables the opportunity to gain the benefit of aggregated volume discount.
- Excellent reporting information, control and visibility of spend.
- Tight control of standard terms and conditions.



SUPPORTING INFORMATION

- 4.1 The Frameworks listed below have been checked by the Head of Procurement to ensure they comply with the EU Regulations for Procurement and are recommended to be used by the Council:
- SCAPE / East Midlands Property Alliance Frameworks – see www.scape.co.uk and www.em-pa.org.uk
 - Homes and Communities Agency (HCA) Frameworks – see <https://www.gov.uk/government/organisations/homes-and-communities-agency>
 - Crown Commercial Services (CCS) Frameworks - see www.gov.uk/crown-commercial-service
 - Eastern Shires Purchasing Organisation (ESPO) Frameworks – see www.espo.org
 - Midland Highways Alliance - see www.mhaweab.org.uk
 - Crescent Purchasing Consortium for Schools
 - Essex Procurement Hub (Braintree District Council) Frameworks – see www.essexprocurementhub.org
 - Homes and Communities Agency Frameworks
 - East Midlands Law Share Framework
 - Health Trust Europe Frameworks – see www.healthtrusteurope.com
 - Pro5 Frameworks – see www.Pro5.org
 - TUCO - see <http://www.tuco.org/>
 - TPPL (The Procurement Partnership) – see <http://www.tppl.co.uk/members-area/framework-agreement-downloads/>
 - Efficiency East Midlands – see www.efficiency-em.co.uk/
 - East Midlands Regional Frameworks, for example, East Midlands Regional Framework for Looked after Children
 - Environment Agency
 - NHS Frameworks open to Local Authorities
 - Any other compliant framework with open access to the Council conducted by a Local Authority.

OTHER OPTIONS CONSIDERED

- 5.1 Not using frameworks and ensuring all high value procurements are conducted by the Council using the full OJEU procedures each time. This would be time consuming for Council Officers and put more resource strain on the Procurement Team to provide the technical knowledge and guidance to adhere to the legislation.

This report has been approved by the following officers:

Legal officer Financial officer Human Resources officer Estates/Property officer Service Director(s) Other(s)	Emily Feenan Martyn Marples Ann Webster (Equalities), Wendy Johnson (H&S), Nick O'Reilly (ICT)
For more information contact: Background papers: List of appendices:	Linda Spiby 01332 643271 Linda.Spiby@derby.gov.uk None Appendix 1 – Implications

IMPLICATIONS

Financial and Value for Money

- 1.1 Potential savings the Council through aggregated Regional and National buying power.
- 1.2 Efficiency saving through reduced officer time conducting lengthy procurement processes.

Legal

- 2.1 15.9 Contract Procedure Rules to be updated.
- 2.2 Terms and conditions of access agreements to new frameworks may need advice from Legal Officers to ensure suitability for the Council.
- 2.3 Procurement team have checked the frameworks are open for Derby City Council to access and are compliant with Procurement Legislation.

Personnel

- 3.1 None arising from this report

IT

- 4.1 None arising from this report

Equalities Impact

- 5.1 All providers on the frameworks are assessed and checked in line with the OJEU Regulations for Equalities, through the tender process to establish the framework by the framework lead organisation.
- 5.2 The recent European Regulations for asking bidders about equality information is very basic now and so it is important that equality is included in specifications so it can be scored as part of the award criteria. We always scored top marks in procurement when we submitted our Stonewall Workplace Equality Index entries, but we can no longer ask these specific questions as part of the pre-qualification questionnaire – so making equality part of the award criteria is essential.

Health and Safety

- 6.1 All providers on the frameworks are assessed and checked in line with the OJEU Regulations for Health and Safety through the tender process to establish the framework by the framework lead organisation.

Environmental Sustainability

- 7.1 All providers on the frameworks are assessed and checked in line with the OJEU Regulations for Environmental Sustainability through the tender process to establish the framework by the framework lead organisation.

Property and Asset Management

- 8.1 None arising from this report

Risk Management

- 9.1 None arising from this report

Corporate objectives and priorities for change

- 10.1 A thriving sustainable economy