

OFFICER DECISION RECORD 1 FORM

This form should be used to record Officer Decisions in Excess of £100k (but below the key decision threshold), or where required by Financial, Contract or other Procedure Rules or following formal delegation from Cabinet or a Cabinet Member or a Council Committee.

Decision Reference No: PLACE23 0880

BOX 1

DIRECTORATE: Property Services

DATE: 05 January 2023

Contact Name: Andrew Rutherford

Tel. No. -

Subject Matter: Contract for Domestic and Commercial Plumbing Materials

BOX 2**DECISION TAKEN**

To carry out a mini competition through the YPO Plumbing and Heating Framework – Framework reference 972. A single supplier will be appointed for stock and non-stock deliveries and collections of domestic and commercial plumbing and heating materials. The contract will be for an initial period of 2 years with 3 optional extensions of 12 months, ie 2+1+1+1.

BOX 3**REASON FOR THE DECISION**

The previous contract for the supply of Domestic and Commercial Plumbing and Heating Materials expired on 30 December 2022.

A new contract is required to ensure continuity of supply of Plumbing and Heating Materials and to ensure that Doncaster Council is complying with the Public Procurement Regulations and achieving best value for money.

Carrying out a further competition through the YPO framework will allow Doncaster Council to set out its specific requirements in terms of materials required and the service required. It provides a relatively quick route to market, minimising non-contracted and non-compliant spend. The YPO is a tried and tested framework provider for Doncaster Council.

Appointing a single contracted supplier for plumbing and heating materials deliveries and collections will provide economies of scale and allow Doncaster Council to leverage the most competitive price from the suppliers. The estimated contract value of £3,000,000 will provide an attractive proposition for the suppliers on the framework. It provides a relatively simple tendering process for Doncaster Council and the suppliers on the framework with one bid required on YORtender and one bid for Social Value through the Social Value Portal.

A single supplier will allow efficient ordering of the majority of Doncaster Council's Plumbing and Heating materials, minimise the number of deliveries each week to stores and allow for effective contract management and supplier relationship management.

Prices will be fixed for 12 months with an annual revision based on the annual change in the Office of National Statistics CPI Index 00 published 2 calendar months prior to the anniversary date of the contract. This will give some certainty of costs year on year with prices being increased or decreased as appropriate.

BOX 4

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

3 other options were considered as follows:-

Option 2 – Appoint a single supplier through a framework for delivery of stock and non-stock items. Appoint multiple suppliers through a framework for collections across pre-determined areas of the Doncaster Borough.

Option 3 – Appoint a single supplier through a framework for delivery of stock items. Appoint a framework of suppliers through an open competitive process for non-stock deliveries and collections.

Option 4 – Appoint a single supplier for delivery of stock items and a framework of suppliers for non-stock delivery and collections through an open competition.

These options were rejected for the following reasons:-

- Difficulty of identification of contract values
- Reduced attractiveness of contract for suppliers
- Complex tendering and evaluation process
- Inefficiency of contract management and supplier relationship management
- Inefficiency of ordering and delivery process
- Timescales for the procurement process.

BOX 5

LEGAL IMPLICATIONS

Section 1 of the Localism Act 2011 provides the Council with a general power of competence, allowing the Council to do anything that individuals generally may do. Section 111 of the Local Government Act 1972 gives the Council the power to purchase goods and services.

The report author has advised that the appointment will be made using the YPO Plumbing and Heating Framework 2. Frameworks are arrangements set up in accordance with EU procurement rules, which will allow the Council to purchase the services without the need to run a separate tender.

The Council must adhere to strict compliance with the rules of the framework if this procurement is to be compliant with EU Regulations.

Following contract signature, the project manager should be completely familiar with the contractual terms in order to protect the interests of the Council and enforce any terms as and when necessary.

Name: Nicky Dobson

Signature:

Date: 9.1.23

Signature of Assistant Director of Legal and Democratic Services (or representative)

BOX 6

FINANCIAL IMPLICATIONS:

The materials will be mainly used by Professional Buildings Maintenance (PBM), and the budgets for plumbing and heating materials are held within existing budgets within Economy & Environment PBM service (FA021).

Name: Lisa Sullivan

Signature: by email

Date: 12th January, 2023

Signature of Chief Financial Officer and Assistant Director of Finance (or representative)

BOX 7

PROCUREMENT IMPLICATIONS

As per the report authors narrative, the Council will procure the supplier in compliance with the Public Contracts Regulations 2015 and the Councils contract procedure rules by accessing the YPO Plumbing and Heating Framework – Framework reference 972.

This framework was procured in compliance with EU Procurement Regulations and was advertised via contract notice 2020/S 012-023831 (See <https://ted.europa.eu/udl?uri=TED:NOTICE:23831-2020:TEXT:EN:HTML&src=0>)

The report author should continue to work with the Strategic Procurement Team and Legal Services to ensure compliance with all requirements as the appointment progresses.

Name: Nicola Cook

Signature: 

Date: 11.8.23

Signature of Assistant Director (or representative)

ANY IMPLICATIONS SENT TO DEPARTMENTS SHOULD GENERALLY BE SUBMITTED AT LEAST 5 WORKING DAYS IN ADVANCE TO ENSURE THESE CAN BE GIVEN THE RELEVANT CONSIDERATION.

BOX 8**EQUALITY IMPLICATIONS:** (To be completed by the author).

Not applicable

BOX 9**RISK IMPLICATIONS:** (To be completed by the author)

There is a risk that the supplier not able to supply some items in the timescale required which could result in non-contracted spend. Procurement will monitor non-contracted spend on plumbing materials and work with the contract manager and the supplier to find a solution.

Due to current global supply chain issues, there is a risk that the supplier could experience delays in obtaining materials which would mean delays in delivery to The Council. The contract will require the supplier to inform The Council of any potential or known supply chain issues as soon as they become aware of them so that The Council can take steps to mitigate potential shortages.

There is a risk to The Council's reputation if unethical practices are found to be present within the supply chain. This risk is mitigated by requirements for the supplier to provide a Modern Slavery Statement, Sustainability statement and Health and Safety Statement. Social Value will be included as part of the award criteria. The contract includes clauses in respect of the Environment, Health and Safety, Conflicts of Interest, Fraud, Bribery and Corruption. Effective contract management and due diligence will take place to check Social Value promises are kept and annual checking of ethical policies and practices.

BOX 10**CONSULTATION**

Consultation with departmental stakeholders has been undertaken. An options appraisal exercise was carried out in respect of the 4 options detailed above and each option scored against set criteria. The recommended option as detailed in Box 2 was the highest scoring option. Concerns regarding the recommended option were addressed both in writing and at a stakeholder meeting where the agreement of all stakeholders to proceed with the recommended option was obtained.

BOX 11**INFORMATION NOT FOR PUBLICATION**

None as advised by Glyn Sparrow 31.8.23

Name: Nicola Cook**Signature** **Date:** 15.9.23

Signed on behalf of FOI Lead Officer for service area where ODR originates

BOX 12**BACKGROUND PAPERS**Please confirm if any Background Papers are included with this ODR **No**

**BOX 13
AUTHORISATION**

Name: Scott Cardwell

Signature:



Date: 22.8.23

Assistant Director of Economy and Development

Does this decision require authorisation by the Chief Financial Officer or other Officer

No

If yes please authorise below:

Name:

Signature:

Date:

Consultation with Relevant Member(s)

Not applicable

Name: _____ **Signature:** _____ **Date:** _____

Designation _____

(e.g. Mayor, Cabinet Member or Committee Chair/Vice-Chair)

Declaration of Interest NO

If YES please give details below:

PLEASE NOTE THIS FORM WILL BE PUBLISHED ON THE COUNCIL'S WEBSITE IN FULL UNLESS IT CONTAINS EXEMPT OR CONFIDENTIAL INFORMATION.

Once completed a PDF copy of this form and any relevant background papers should be forwarded to Governance Services at Ladem@doncaster.gov.uk who will arrange publication.

It is the responsibility of the decision taker to clearly identify any information that is confidential or exempt and should be redacted before publication.