

# Commissioning Form

This form is to be completed by the commissioning service or department for all procurement proposals with a total value above £25,000. If you are seeking an exception from Contract Procedure Rules or exception from the requirement to tender, you must complete an **Exception Form**.

Title

Head of Service:

Manager:

Report Completed by:

Date:

Total Estimated Value:

## PROCUREMENT TEAM USE ONLY

Officer

Priority

Category

Received

Complete by

Est Hrs  
Required

## Type

Copy and paste:



Goods

Services: services not subject to the 'light touch regime' (i.e. most services)

LTR: certain social, health, education & other services subject to the 'light-touch regime'

Works



Does the proposal include Land contracts or the appointment of developers? Yes  No

If Yes, has the Monitoring Officer (Legal) been consulted? Yes  No

If Yes state the Monitoring Officer's advice. If No, state why not:

Does the proposal include Information & Communication Technology, property or works? Yes  No

If Yes, has the relevant council service been involved? Yes  No

If Yes state the services' involvement. If No, state why not:

## Procurement Level

Copy and paste:



Intermediate Value: £25,000 to OJEU threshold\*



High Value: above relevant OJEU threshold\*

## Procurement Process

Copy and paste:



Is there a corporate purchasing arrangement or National Procurement Service framework or other framework agreement relevant to your proposal? Yes  No

If Yes, state which below:

Are you planning to make use of any corporate purchasing arrangement or framework agreement identified above?

Yes  No

If Yes, will the process be direct award or mini competition?

If No, state the relevant grounds to justify an exemption:

The SCAPE (Minor Works) is a national framework, whereas the MTC is a localised / job specific "framework" or "term" agreement. The MTC procurement will be aimed at local Contractors to Flintshire and the surrounding counties, who have the experience, knowledge and resources for working on FCC's buildings, especially schools. This procurement route will provide better local spend and a higher use of local labour. We will however be utilising the SCAPE when appropriate.

Are you using a competitive market process?

Yes  No

If yes, indicate which process.

Open Tender

Restricted Tender

Competitive Dialogue

Dynamic Purchasing System

E-Auction

Competitive Procedure With Negotiation

Innovation Partnership

Don't know

### Timescales

Date	Milestone
28/04/2017	Authorisation of Commissioning Form
16/06/2017	Final contract terms, specification & evaluation methodology agreed by Procurement/Legal
19/06/2017	Tender advertised
14/07/2017	Tender closed to responses, start evaluation
4/08/2017	Evaluation finalised (start of 10 day standstill period)
21/08/2017	Contract award
18/09/2017	Contract start

### Outline

Briefly describe the proposal

Copy and paste:

The proposed Measured Term Agreement 2017 to 2021 is for Minor Refurbishment Works to Flintshire County Council's Buildings.

Are there any links to other existing or planned commissions, projects or programmes or is this part of a multi-phase project (internal or external)? If yes please specify.

Yes

No

### Need / Demand

Briefly explain your evidence for the need or demand for this proposal.

The existing Measured Term Agreement 2015/16 is due to expire on the 28<sup>th</sup> Sep '17 and the Capital Programme for 2017/18 has projects that require a call off procedure in lieu of traditional tendering procedures due to limited Departmental resources

### Output / Benefit

*What will the output and benefit of the proposal be? What will it deliver? What will it achieve?*

A number of Measured Term Agreements have been set up since 2010 and over the last 7 years these have consistently delivered FCC's Capital Programme on time, on budget and to a high quality standard. The Measured Term Agreement 2017 to 2021 will continue with this tradition.

### Options

Copy and paste:

Has a zero cost option been considered?

Yes  No

Has a reduced cost option been considered?

Yes  No

*State whether and why zero and/or reduced cost options have been adopted or discounted:*

Not applicable for construction works.

Price /  Quality Weighting

Please state the percentage weightings being given to price and quality in your tender evaluation:-

**Price**

**Quality**

### Welsh Language Standards

All advertisements in Sell2Wales and, where relevant, in the Office Journal of the European Union (OJEU), must be published bilingually in Welsh and English. The advertisement must state that quotations or tenders may be submitted in Welsh, and that a quotation or tender submitted in Welsh will be treated no less favourably than a quotation or tender submitted in English.

It is a requirement that all tender and contract documents are produced in Welsh in the following circumstances:-

- a) If the subject matter of the tender for a contract suggests that it should be produced in Welsh, or
- b) If the anticipated audience, and their expectations, suggests that the documents should be produced in Welsh.

Copy and paste:

Is there a requirement to produce the documents in Welsh?

Yes  No

*State why you have selected either Yes or No:*

From experience, the majority of tendering contractors have returned their submissions in English and no request for a Welsh version has ever been received.

## Procurement Checklist

Copy and paste:

Has a Sustainability / Wellbeing Impact Assessment been completed?

Yes  No  N/A

Have you identified and mitigated any potential conflicts of interest?

Yes  No  N/A

Have you conducted market dialogue, research, analysis?

Yes  No  N/A

Have you consulted stakeholders, partners and/or end users?

Yes  No  N/A

Have you consulted the Insurance and Risk Manager on potential insurance issues?

Yes  No  N/A

Have you instructed the legal team to develop contract terms?

Yes  No  N/A

Have you sought advice on safeguarding issues?

Yes  No  N/A

Have you sought advice on any TUPE, IPR or other legal issues?

Yes  No  N/A

Have you specified contract management & information requirements?

Yes  No  N/A

Have you determined whether to use lots (e.g. to encourage SMEs)?

Yes  No  N/A

Have you considered how to encourage subcontractors or consortia?

Yes  No  N/A

Could you reserve the contract for public mutuals or social enterprises?

Yes  No  N/A

Have you completed the tender specification?

Yes  No  N/A

Have you developed evaluation criteria & scoring methodology?

Yes  No  N/A

Have you identified the scorers/evaluators?

Yes  No  N/A

Have you drafted questions and guidance to bidders & scorers?

Yes  No  N/A

Will you need to arrange interviews, presentations, site visits etc.?

Yes  No  N/A

Have you drafted the tender advertisement?

Yes  No  N/A

Is this proposal funded wholly or in part by EU grant?

Yes  No  N/A

If you wish to expand on any of your responses to these questions please give details in the box below:

The corporate Sustainability Assessment to follow in due course

Finance

Copy and paste:



Capital Funding Source	Amount	Approved	Applied for	Approached
Capital Programme for 2017/18	£1,000,000	✓		
Capital Programme for 2018/19	£TBC			
Capital Programme for 2019/20	£TBC			
Capital Programme for 2020/21	£TBC			
<b>Total Capital Funding:</b>	£TBC (currently £1M)			

Revenue Funding Source	Amount	Approved	Applied for	Approached
Not applicable	£			
	£			
<b>Total Revenue Funding:</b>	£			

<b>Estimated Total Value:</b>	£4,000,000
<b>Estimated Annual Value</b>	£1,000,000

<b>Cost Code</b>	Project by Project basis
------------------	--------------------------

If the contract is a collaboration with external partners the figures quoted should include the total contract value not just the Local Authority element.

*\*N.B: **Approved** – written approval exists; **Applied for** – no written approval but application made; **Approached** – initial approach to or by funding body but no application submitted*

Contract

Provide basic details of any contract to be awarded

Type of contract:	Fixed Term with Option to Extend
Terms and Conditions:	General Terms & Conditions (Works)
Proposed Start date:	18/09/2017
Proposed End date:	18/09/2019 (or 2020)
Proposed options for extension (if any):	+ 1 year + 1 year (or + 1 year)
Maximum duration (including extensions):	4 years

## Community Benefits

Copy and paste:

Are you including community benefits?

Yes

No

*If Yes, provide details below: If No, state why community benefits have not been included*

### Method Statement 5: Community Benefits

Flintshire County Council is committed to deliver 'community benefit' outcomes from its procurement activity to ensure that wider social and economic issues are taken into account when spending public money in order to achieve the very best value for money in the widest sense

The Contractor should maximise the opportunities for both employment and training of residents of the region. Contractors are encouraged to employ locally based Sub-Contractors wherever possible...

## The Local Economy

Copy and paste:

Have you considered ways in which this proposal might benefit the local economy and increase opportunities for local businesses?

Yes

No

*If Yes, provide details below: If No, please state why not.*

Local supply chain / local labour clauses / local spend

## Risk Assessment

What is the total estimated value of the proposal?	Over £2m
How many external organisations are involved in developing the proposal?	None
Has the Local Authority done this kind of thing before?	Many times
If things go wrong, what is the operational risk to the Local Authority?	Low
If things go wrong, what is the reputational risk to the Local Authority?	Medium
If things go wrong, what is the financial risk to the Local Authority?	Low

### PROCUREMENT TEAM ASSESSMENT

*N.B: This section is to be completed by the Procurement Team following receipt of an appropriately completed form from the commissioning service.*

Section	Sign-Off?		Comments
	Yes	No	
Type	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Works
Procurement Level	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Procurement Process	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Timescales	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Achievable
Outline	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Need / Demand	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Output / Benefit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Options	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Price/Quality Weighting	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Welsh Language	<input checked="" type="checkbox"/>	<input type="checkbox"/>	contractors to be made aware of Welsh language standards requirements in relation to any signage used
Procurement Checklist	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Finance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Contract	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Suggested 2 years +1 +1
Community Benefits	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Core Scored
The Local Economy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Risk Assessment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

PROPOSED START DATE  TARGET END DATE

**RECOMMENDATIONS:**

As the OJEU threshold for works contracts is £4.1m and the estimated value of this framework being £4m it is imperative the spend on this framework does not exceed the OJEU threshold. If we feel it might an above OJEU framework may need to be considered as a precaution however this would make the timescales even tighter. Cabinet approval is required for this project before the tender can be issued.

RED		ORANGE		YELLOW		GREEN	✓
PROCUREMENT OFFICER		<u>Simon Beech</u>			DATE	26/05/17	

**AUTHORISATION**

**N.B:** This section is to be completed by the commissioning service following the completion and return of the Procurement Team Assessment (above).


For details of authority to decide procurement strategy and invite competitive bids see CPR 2.7.2

**Response to Corporate Procurement Team Assessment**

Please detail your response and plan of actions to the Corporate Procurement Team's assessment. In particular, if you are choosing not to abide by their recommendations please state why not.

Subject to compliance with the instructions above, the undersigned authorise the commissioning proposal described in this document to go ahead.


**HEAD OF SERVICE/CHIEF OFFICER:** (Mandatory)  
(or Service Manager if within their spend authorisation limit)

Signature  Date 30/05/2017

**SECTION 151 OFFICER (Finance):** (Mandatory for all contracts above £250,000)

Signature  Date 31/5/17

**MONITORING OFFICER (Legal):** (Mandatory for all contracts above £250,000)

Signature  Date 30/5/17

**LEAD CABINET MEMBER:** (Mandatory for all contracts above £1,000,000)

Signature  Date

**N.B:** Contracts over £2,000,000 also require Cabinet approval and the completion of a Cabinet report