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Reply to Steve Sandercock
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Our ref
Your ref
Date 1 April 2020

Dear Mark

Thank you for your letter dated 16 March 2020 to Penny and Keith in connection to questions and concerns from members in what are indeed challenging and unprecedented times.

In discussion with Penny and Keith it was felt that as many of the points you raise related to procurement and contract matters that I would best be placed to reply in order to provide you with an initial response around what approach the Council is now looking to apply.

With events unfolding fast there has been the need to reassess rapidly how the Council responds in regards to our procurement activity and also what this means for our current contracts, as well as the critically the implications on our suppliers and providers.

I would like to initially highlight the specific actions we have now taken and then provide some more details on how this relates to your specific points.

Firstly as of last week we have published some brief guidance to officers of the Council and suppliers on giving due consideration how best to manage existing contract arrangements. This guidance recognises the likely necessity that changes to "normal" arrangements would be required, whether this is from enabling the service to be performed in a different way, for example, remote access as opposed to direct face to face delivery; delayed delivery until any reduction on current risk levels associated with the current outbreak, limiting or reprioritising delivery, for example to high risk vulnerable groups; through to ceasing delivery, permanently or indefinitely.

Clearly each contract will have its own unique characteristics and with this in mind I would urge that the overall message to any of your members how have concerns to in the first instance to make contact with the respective contract manager in the Council. This guidance can be found here:

<https://www.bristol.gov.uk/crime-emergencies/coronavirus-guidance-on-delivery-and-performance-of-contracts>

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The Council has also set out details for businesses on guidance to Care providers, plus how the Council is responding around the budget measures related to financial support to businesses. This information can be found on the Council's dedicated webpage

<https://www.bristol.gov.uk/crime-emergencies/coronavirus-covid-19-what-you-need-to-know>

An internal officer Protocol on Procurement and Contract Activity in response to COVID-19 has also this week been put in place. This looks to amend the Council's own procurement Rules and make use of flexibility in the application of the Public Contracts Regulations 2015.

Specifically this will see delaying or aborting procurement and tendering for non-essential goods, works and services; seeking to put in place expedient measures for urgent requirements, this could include using existing contracts, established frameworks where possible as well as if necessary direct approaches to suppliers. The Protocol also seeks to maximise the benefit around existing contractual arrangements, this would include extending current contracts.

Again, each contract will have its own unique characteristics so it any of your members have concerns on their existing contracts or potential tenders.

With regards to your specific points raised in your letter I would therefore comment:

Current Contracts – specifically on this point I would highlight the guidance which we have provided on the Council's website for officers and suppliers / providers. The current situation is likely to require difference ways of working on a number of contracts so if any of your members do have concerns please do urge them to get in touch with the respective contract manager at the Council.

Live commissioning / procurement processes – again as noted above the ability for suppliers and providers to respond to tender opportunities may well be restricted and as such this is reflected in our internal protocol that looks to restrict all but essential tendering and where possible maximise the benefits of current contracts.

It is noted in the Protocol that there may been some situations where it may benefit certain sectors to undertake procurement activity but again this would be case by case considerations.

Imminent commissioning / procurement processes – in light of the Protocol a review and refocus will be carried out across the piece around what procurement activity is necessary and valid to carry out in such unusual times. Wherever possible we will look to proactively engage with suppliers and providers where plans are changed, which will also include for commissioning and procurement processes delayed prior to COVID-19.

Grants and the Covid-19 pandemic

Similarly to Procurement, we are taking the following approach:

Current Funding Agreements – individual grant giving departments should have contacted their grant agreement organisations to set out their approach to how any targets within

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grant agreements will be amended or relaxed as a result of the current situation. If any grant recipients have not heard already from their grant managers they should contact them for information.

Live grant opportunities – in general the council has suspended all live grant opportunities wherever possible

Imminent Grant Application processes – Again, new grant application processes are being suspended/postponed to take place in a post-COVID-19 lockdown recovery period.

Further information which may be useful to you and your members are recently published shared guidance from the Association of Directors of Adult Social Services (ADASS), the Local Government Association (LGA) and the Care Provider Alliance (CPA) titled “**Social care provider resilience during COVID-19: guidance to commissioners**” coupled with the Government’s Procurement Policy Notes, **Procurement Policy Note - Responding to COVID-19 - Information Note PPN 01/20** and **Procurement Policy Note - Supplier relief due to COVID-19 - Action Note PPN 02/20 March**

The Council is proactively engaged and working hard with our Social Care sector in looking to support providers in this difficult time, in particular through supporting on the access and provision of Personal Protective Equipment (PPE).

Links to the various documents can be found below:

<https://www.local.gov.uk/coronavirus-information-councils/social-care-provider-resilience-during-covid-19-guidance-commissioners>

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/873521/PPN_01-20_-_Responding_to_COVID19.v5_1_.pdf

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/874178/PPN_02_20_Supplier_Relief_due_to_Covid19.pdf

Please feel free to share and distribute this letter openly with your members.

I would hope that the approaches we are looking to adopt provide some reassurance to the Council’s approach in supporting business, suppliers and providers in such difficult times. Should you wish to discuss any points raised or further points or concerns from feedback from your members please do get in touch.

Yours sincerely



Steve Sandercock

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Copy: Penny Germon / Keith Houghton