

# Report to approve a contract for the supply of Beers Wines Spirits and Mixers

Date: 30 November 2022

Report of: Venues Manager

Report to: Chief Officer, Culture & Economy

Will the decision be open for call in?  Yes  No

Does the report contain confidential or exempt information?  Yes  No

## Brief summary

The purpose of this report is to seek approval to award a contract for the supply of Beers Wines, Spirits and Mixers and will detail the reasons for making this award based on quality and price.

## Recommendations

- a) The Chief Officer, Culture & Economy is recommended to approve the award on a contract for the supply of Beers Wines Spirits and Mixers to Matthew Clark Bibendum Limited. The contract will commence on 1 January 2023 for a period of three years, with a possible 1 year extension.

## **What is this report about?**

1. The purpose of this report is to seek approval to award a contract for the supply of Beers Wines, Spirits and Mixers.
2. The new contract is due to start 1 January 2023.
3. The contract is to be awarded to Matthew Clark Bibendum Limited.
4. This report will detail the reasons for making this award based on quality and price.
5. The estimated value of the contract is £140k per annum, £420k over the term of the initial contract. With a further estimated value of £140k over the 1 x 1yr extension.

## **What impact will this proposal have?**

- 1 The current contract for Beers Wines Spirits and Mixers expires on 31st December 2022 with no further option to extend.
- 2 Leeds City Council want to offer a complete package to clients, this contract will help with the running and organising of drink sales to cover all functions and enable us to continue making improvements to the current operation to increase revenues.
- 3 Securing a new contract will help protect prices for the duration of the contract.
- 4 One tender submission was received from Matthew Clark Bibendum Limited and they passed the selection criteria and progressed to quality evaluation.
- 5 Matthew Clark Bibendum Limited also passed the quality evaluation questions.
- 6 Quality scores were then processed along with the pricing by Procurement and Commercial Services to produce a final evaluation spread sheet (appendix 1).
- 7 The value of the contract, over the initial 3 years will be £420k.
- 8 As it is the existing supplier, there will be no issues around TUPE.
- 9 Matthew Clark Bibendum Limited has passed the vetting criteria.
- 10 The procurement exercise was conducted via YORtender in September-October 2022.
- 11 The tender was advertised in OJEU and Contracts Finder in September 2022
- 12 The Council will reserve the right to utilise other contractors should Matthew Clark Bibendum Limited be unable to fulfil the requirements of the contract or if Leeds city Council indicates their needs can't be met, on a case-by-case basis.
- 13 Leeds City Council will have overall operational control and Matthew Clark Bibendum Limited will comply with all instructions from them

## How does this proposal impact the three pillars of the Best City Ambition?

Health and Wellbeing

Inclusive Growth

Zero Carbon

- 14 Supports growth and investment and building longer-term economic resilience
- 15 Matthew Clark Bibendum Limited will alongside Leeds City Council to support managing conditions in the community
- 16 Matthew Clark Bibendum will use less energy or more energy efficient equipment and work to reduce travel and transport impacts
- 17 There is a specific reference about carbon footprint, which was part of the evaluation criteria that Matthew Clark Bibendum Limited shall in performing the service for this contract meet all Legislation, Guidance and Good Industry Practice in environmental management and meet the objectives of the Council's sustainability policies.
- 18 The procurement process within Leeds City Council has been undertaken to ensure openness, transparency and fairness. As such the contract for the supply of beers, wines, spirits and mixers will be in line with Leeds City Councils PACS policy and procedures.
- 19 Evidence of added social value has been considered and will be developed as part of the contract.

## What consultation and engagement has taken place?

Wards affected:

Have ward members been consulted?

Yes

No

- 20 It is not considered that the content of this report or the recommendation made will have a significant impact on any particular ward or community.
- 21 Officers from Sports and Parks and Countryside were consulted as part of the review of the secondary sales provision.

## What are the resource implications?

- 22 The contract entered into as a result of the procurement exercise will be used for the purchase of beers, wines, spirits and mixers. This forms an essential element in delivering secondary sales across Leeds City Council services.
- 23 The contract entered into as a result of the procurement exercise will be regularly reviewed by monitoring market conditions and trading indices to ensure continuing value for money.
- 24 Resources are available from both CEL and PACS to meet the requirements to award a contract for the supply of beers, wines, spirits and mixers.
- 25 There are no additional resource implications for this contract for the supply of beers, wines, spirits and mixers.

### **What are the key risks and how are they being managed?**

- 26 The contract will be managed and monitored regularly to ensure the benefits of the services are maximised and Matthew Clark Bibendum Limited performance will be measured over the life of the contract.
- 27 The Council will reserve the right to request a variation to the pricing schedule due to any price reductions. In the event Matthew Clark Bibendum Limited is unable to agree a change the Council may terminate the Contract with an agreed notice period.

### **What are the legal implications?**

- 28 The value of the contract is £140k per annum, £420k over the term of the initial contract, and as such is a significant operational decision, as a consequential decision of a previous key decision.
- 29 The appendix to this report is exempt under Access to Information Procedure Rule 10.4(3) as it relates to the business / financial affairs of the Council and other organisations.

### **Options, timescales and measuring success**

#### **What other options were considered?**

- 30 There were no other options to be considered

#### **How will success be measured?**

- 31 Leeds City Council will have overall operational control and Matthew Clark Bibendum Limited will comply with all instructions from them.

#### **What is the timetable and who will be responsible for implementation?**

- 32 The Officer responsible for implementation is Stuart Dornford-May, Venues Manager, Arts, Events & Venues.
- 33 The timetable is December – Award and Mobilisation. 1 January 2023 – Start of Contract.

### **Appendices**

- Procurement and Commercial Services final evaluation spread sheet (appendix 1). Exempt under Access to Information Procedure Rule 10.4(3).

### **Background papers**

- None.