

REPORT TO: CITY GOVERNANCE COMMITTEE - 28 OCTOBER 2024

REPORT ON: CONTRACT FOR DUNDEE SCHOOLS' MUSIC THEATRE SOUND AND LIGHTING

REPORT BY: EXECUTIVE DIRECTOR OF CHILDREN AND FAMILIES SERVICE AND CORPORATE SERVICES

REPORT NO: 300 - 2024

1 PURPOSE OF REPORT

1.1 The purpose of this report is to provide an update on the development of a sourcing strategy for the tender process for sound and lighting for Dundee Schools' Music Theatre and to seek approval to commence a compliant tender process, leading to award of a contract.

2 RECOMMENDATION

- 2.1 It is recommended that the Committee:
- a Approves the commencing of a procurement exercise in respect of the project described, based on the sourcing strategy, summarised in this report
 - b Delegates authority to the Executive Director of Corporate Services to award a contract to the successful bidder, following a tender process carried out in compliance with the Public Contracts (Scotland) Regulations of 2015
 - c Approves expenditure on the project to the total value described in 3.1 below of £75,000.

3 FINANCIAL IMPLICATIONS

3.1 There are no direct financial implications associated with this report, other than the estimated cost of the contract to be awarded, the sum of which has already been approved in the relevant budget. From previous experience and market testing carried out, the total cost of the contracts awarded is anticipated to be £75,000 for the duration of the 3-year contract. Any material deviation from this sum, resulting from the tender process that is above the amount allowed for contingencies, will require further approval from this Committee, prior to the contract being awarded.

4 BACKGROUND

- 4.1 Dundee City Council is seeking to appoint a suitably qualified, experienced, and equipped supplier of sound and lighting services for Dundee Schools' Music Theatre's performances over the next 3 years. DSMT perform three shows in each academic session; the shows take place in June and August at the Gardyne Theatre. The provision must include high-quality sound and lighting equipment, installation at venue, and in situ show design. This includes the sound and lighting engineers from the successful contractor working with the production teams from each show at regular intervals during the rehearsal period.
- 4.2 This supply of this service is vital to each production. Venues do not supply this service and we do not have the equipment, or skill set within Dundee City Council to provide it.
- 4.3 The contract will enable Dundee Schools Music Theatre to deliver performances over 3 years.

5 SOURCING STRATEGY SUMMARY

5.1 This sourcing strategy seeks approval to progress with appropriate compliant tender process via Public Contracts Scotland. Bidders will go through a selection process to assess capability to the needs and requirement of the contract.

6 RISK ANALYSIS

- 6.1 There are four standard risks in any procurement and for public sector regulated procurements, a fifth is added, that of the procurement exercise itself breaching the public contract regulations and leaving the Council open to a legal challenge.

Description of Risk	Actions to be taken to manage Risk
Commercial Risk – That either the price objectives are not achieved up front or there are other costs that arise during the contract and diminish the overall benefits.	Low risk – the contract will be tendered and awarded through a compliant tender procedure through which all costs have been considered.
Technical Risk – This concerns the difficulty in being able to specify the desired outcome and on the market being unable to deliver to the specification	Low risk – the contract will be tendered and awarded through a compliant procedure. Bidders will be required to demonstrate technical competence as part of the tender evaluation process.
Performance Risk – This concerns the ability of suppliers to perform consistently over the life of the contract to deliver the planned benefits	Low risk – a contract management process will be put in place.
Contractual Risk – Being able to remedy the shortcomings in the contractor's performance without severely damaging the contract and about avoiding reliance on the contracted supplier as the contract develops.	Low risk – DCC are contractually protected via the contract terms and conditions. The contractor shall be proactively managed during the term of contract.
Legal Risk – where a procurement is found unsound in law, through the public procurement rules	Low risk – this is a regulated contract.

7 POLICY IMPLICATIONS

- 7.1 This report has been subject to the Pre-IIA Screening Tool and does not make any recommendations for change to strategy, policy, procedures, services or funding and so has not been subject to an Integrated Impact Assessment. An appropriate Senior Manager has reviewed and agreed with this assessment.

8 CONSULTATIONS

- 8.1 The Council Leadership Team have been consulted in the preparation of this report and are in agreement with its content.

9 BACKGROUND PAPERS

- 9.1 None.

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