

Agenda



Tendering Committee

Date: Wednesday, 19 August 2020

Time: 09:30

Venue: Zoom Video Conference

Contact: Scott Kelly, Committee Officer
Email: scott.kelly@west-dunbarton.gov.uk

Dear Member

Please attend a meeting of the **Tendering Committee** as detailed above.

The Convener has directed that the powers contained in Section 43 of the Local Government in Scotland Act 2003 will be used and so Members will attend the meeting remotely.

The business is shown on the attached agenda.

Yours faithfully

JOYCE WHITE

Chief Executive

Distribution:

Councillor J. Finn (Chair)
Councillor G. Casey
Councillor I. Dickson (Vice Chair)
Councillor D. Docherty
Provost W. Hendrie
Councillor M. McNair
Councillor L. O'Neill
Councillor B. Walker

All other Councillors for information

Strategic Director - Transformation & Public Service Reform
Strategic Lead - Regulatory

Date of Issue: 6 August 2020

TENDERING COMMITTEE
WEDNESDAY, 19 AUGUST 2020

AGENDA

1 APOLOGIES

2 DECLARATIONS OF INTEREST

Members are invited to declare if they have an interest in any of the items of business on this agenda and the reasons for such declarations.

3 MINUTES OF PREVIOUS MEETING 5 – 9

Submit, for approval as a correct record, the Minutes of Meeting of the Tendering Committee held on 11 March 2020.

4 OPEN FORUM

The Committee is asked to note that no open forum questions have been submitted by members of the public.

5 CONTRACT AUTHORISATION REPORT – SUPPLY OF NATURAL GAS AND THE SUPPLY OF ELECTRICITY FOR THE DISTRICT HEATING NETWORK 11 – 14

Submit report by the Strategic Director – Transformation and Public Service Reform seeking approval to authorise the Strategic Lead – Regulatory to conclude the award of the contracts for the Supply of Natural Gas and the Supply of Electricity for the District Heating Network.

6 CONTRACTS AWARDED 15 – 20

Submit report by the Strategic Director – Transformation and Public Service Reform advising of contracts awarded in line with agreed delegations.

TENDERING COMMITTEE

At a Meeting of the Tendering Committee held in the Clyde Room, Clydebank Town Hall, Dumbarton Road, Clydebank on Wednesday, 11 March 2020 at 9.30 a.m.

Present: Provost William Hendrie and Councillors Gail Casey, Ian Dickson and Jim Finn.

Attending: Angela Wilson, Strategic Director – Transformation and Public Service Reform; Annabel Travers, Procurement Manager; David Aitken and Derek McLean, Business Partners – Strategic Procurement; Patricia Kerr, Manager of ICT; Alison McBride, Strategic People and Change Manager; and Scott Kelly, Committee Officer.

Apologies: Apologies for absence were intimated on behalf of Councillors Diane Docherty, Marie McNair and Lawrence O'Neill.

Councillor Ian Dickson in the Chair

DECLARATIONS OF INTEREST

It was noted that there were no declarations of interest in any of the items of business on the agenda.

MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of the Tendering Committee held on 19 February 2020 were submitted and approved as a correct record.

OPEN FORUM

The Committee is asked to note that no open forum questions have been submitted by members of the public.

CONTRACT AUTHORISATION REPORT – ASBESTOS SURVEYS FOR EXTERNAL WALL INSULATION AND RENEWAL OF ROOFS PROGRAMME

A report was submitted by the Strategic Director – Transformation and Public Service Reform seeking approval to authorise the Strategic Lead – Regulatory to conclude the award of the contract for Asbestos Surveys for the External Wall Insulation (EWI) and Renewal of Roofs to Council Housing Stock Programme.

After discussion and having heard Mr Aitken, Business Partner – Strategic Procurement, and relevant officers in further explanation of the report and in answer to Members' questions, the Committee agreed:-

- (1) to authorise the Strategic Lead – Regulatory to conclude, on behalf of the Council, the award of the contract for Asbestos Surveys for EWI and Renewal of Roofs Programme to Franks Portlock Consulting Ltd; and
- (2) to note: (i) that the contract shall be for a period of two years with the option to extend for two 12 month periods; (ii) that the overall value of the contract over two years was £81,500, excluding VAT, and over four years £163,000, excluding VAT; and (iii) that the estimated contract start date would be 1 April 2020.

CONTRACT AUTHORISATION REPORT – TREATMENT AND DISPOSAL OF RECYCLABLE AND RESIDUAL WASTE FOR INERT SOIL AND RUBBLE

A report was submitted by the Strategic Director – Transformation and Public Service Reform seeking approval to authorise the Strategic Lead – Regulatory to conclude the award of the contract for the Treatment, Recycling and Disposal of Inert Waste (Soil and Rubble).

After discussion and having heard Mr Aitken, Business Partner – Strategic Procurement, in further explanation of the report and in answer to a Member's question, the Committee agreed:-

- (1) to authorise the Strategic Lead – Regulatory to conclude, on behalf of the Council, the award of the contract for the Treatment, Recycling and Disposal of Inert Waste (Soil and Rubble) to William Thompson & Son (Dumbarton) Limited; and
- (2) to note: (i) that the contract shall be for a period of three years with the option to extend for 12 months; (ii) that the value of the contract over three years was estimated at £204,000 (£68,000 per annum), excluding VAT; and (iii) that the contract start date would be 1 April 2020.

CONTRACT AUTHORISATION REPORT – TREATMENT AND DISPOSAL OF RECYCLABLE AND RESIDUAL WASTE FOR STREET SWEEPINGS AND GULLY WASTE

A report was submitted by the Strategic Director – Transformation and Public Service Reform seeking approval to authorise the Strategic Lead – Regulatory to conclude the award of the contract for the Treatment and Disposal of Recyclable and Residual Waste for Street Sweeping and Gully Waste.

After discussion and having heard Mr Aitken, Business Partner – Strategic Procurement, in further explanation of the report and in answer to Members' questions, the Committee agreed:-

- (1) to authorise the Strategic Lead – Regulatory to conclude, on behalf of the Council, the award of the contract for the provision of Street Sweeping and Gully Waste to Barr Environmental Limited; and
- (2) to note: (i) that the contract shall be for a period of three years with the option to extend for 12 months; (ii) that the overall value of the contract over three years was estimated at £55,000 (£18,500 per annum and £36.65 per tonne), excluding VAT, but may vary based on previous spend; and (iii) that the contract start date would be 1 April 2020.

CONTRACT AUTHORISATION REPORT – INDEPENDENT ADVOCACY SERVICES FOR ADULTS

A report was submitted by the Strategic Director – Transformation and Public Service Reform seeking approval to authorise the Strategic Lead – Regulatory to conclude the block contract for Independent Advocacy Services for Adults.

After discussion and having heard the Procurement Manager and the Strategic Director in further explanation of the report and in answer to a Member's questions, the Committee agreed:-

- (1) to authorise the Strategic Lead – Regulatory to conclude the block contract, on behalf of West Dunbartonshire Health and Social Care Partnership, to Lomond & Argyll Advocacy Services for Independent Advocacy Services for Adults;
- (2) to note: (i) that the estimated value would be £405,000, excluding VAT, for a period of three years with the option of two 12 month contract extension periods to be implemented at the discretion of the Council; and (ii) that the estimated value would be £675,000, excluding VAT, for a period of five years; and
- (3) that the commencement date of the contract would be no later than 10 April 2020.

CONTRACT AUTHORISATION REPORT – SCOTTISH GOVERNMENT CIVTECH CHALLENGE: ASSET TRACKING AND FOCUSED EMPLOYEE WELLBEING TOOLS

A report was submitted by the Strategic Director – Transformation and Public Service Reform seeking approval to authorise the Strategic Lead – Regulatory to conclude the award of the contract for Scottish Government CivTech Challenge: Asset Tracking and Focused Employee Wellbeing Tools.

Having heard the Manager of ICT in further explanation of the report, the Committee agreed:-

- (1) to authorise the Strategic Lead – Regulatory to conclude, on behalf of the Council, the award of the contract for Development of Technology to track off-network Council assets to M2M Cloud Limited, with registered office at 1 Stanyards Courtyard, Stanyards Farm, Chertsey Road, Chobham, Surrey, England GU24 8JE, it being noted that the spend had been approved by Council on 4 March 2020 and was subject to approval by the Performance and Monitoring Group (PMRG);
- (2) to note: (i) that the contract shall be for a maximum period of twelve months and at a value of £119,350, excluding VAT, with the expected Council contribution being £69,446, excluding VAT, assuming that Scottish Government funding is approved; and (ii) that the estimated commencement date of the contract was 31 March 2020;
- (3) to authorise the Strategic Lead – Regulatory to conclude, on behalf of the Council, the award of the contract for Development of Employee Focused Wellbeing Tool to Trickle Data Insights Limited, with registered office at 101 Rose Street South Lane, Edinburgh EH2 3JG, it being noted that the spend had been approved by Council on 4 March 2020;
- (4) to note: (i) that the contract shall be for a maximum period of up to four years and at a value of £199,995, excluding VAT, with the expected Council contribution being £99,995, excluding VAT, assuming that Scottish Government funding is approved; and (ii) that the estimated commencement date of the contract was 31 March 2020;
- (5) to note: (i) that, the Council would be seeking to recoup up to the maximum of the Scottish Government match funding which is up to 50% of the project costs; (ii) that the amount of potential to be recouped in match funding would only be known once the contract has been agreed and CivTech can submit the funding bid; and (iii) that progress to award would be subject to further internal relevant Council approvals during March 2020; and

- (6) to note: (i) that the spend on the contracts are speculative as they are funding the development of products that do not currently exist; (ii) that this authorisation is coming in advance of Corporate Services Committee's approval in order to try secure funding through the Scottish Government; and (iii) that the contract will not come into effect until after Corporate Service Committee approval.

The meeting closed at 9.50 a.m.

DRAFT

WEST DUNBARTONSHIRE COUNCIL**Report by Strategic Director of Transformation & Public Service Reform****Tendering Committee: 19 August 2020**

Subject: Contract Authorisation Report - Supply of Natural Gas and the Supply of Electricity for the District Heating Network**1. Purpose**

- 1.1** The purpose of this report is to seek the approval of the Tendering Committee to authorise the Strategic Lead – Regulatory; to conclude the award of the contracts for the Supply of Natural Gas and the Supply of Electricity for the District Heating Network.

2. Recommendations

- 2.1** It is recommended that the Tendering Committee authorise the Strategic Lead Regulatory to conclude on behalf of West Dunbartonshire Council (the Council):
- a) The award of the contract for the Supply of Natural Gas for the District Heating Network, to Total Gas and Power Ltd. The contract shall be for a period of up to 12 months with the option to extend for a further period of up to 12 months. The total estimated value of this contract is £431 ex VAT for 12 months and £2,514 ex VAT for 24 months. The estimated commencement date of the contract is 01 September 2020.
 - b) The award of the contract for the Supply of Electricity for the District Heating Network to EDF Energy Customers Ltd. The contract shall be for a period of up to 12 months with the option to extend for a further period of up to 12 months. The total estimated value of the contract is £246,000 ex VAT and £888,000 ex VAT for 24 months. The estimated commencement date of the contract is 01 September 2020.

3. Background

- 3.1** The requirement is for the Supply of Natural Gas and the Supply of Electricity to the District Heating Network at Queens Quay, Clydebank; which will enable the water source heat pumps installed within the network to become operational. The result will be the generation of heat for customers of the Network.
- 3.2** The budget for the Supply of Natural Gas and the Supply of Electricity for the District Heating Network was approved at the West Dunbartonshire Council meeting on 23 November 2016. This procurement exercise has been conducted in accordance with the Council's Standing Orders and Financial Regulations and the *Public Contracts (Scotland) Regulations 2015* for Goods. A Contract Strategy document was also approved by the Business Partner - Strategic Procurement (Place) on 22 July 2020.

- 3.3** The Contract Strategy identified the Scottish Procurement Framework Agreements (FA) (SP-17-031) and (SP-17-004) as the recommended procurement delivery vehicle. The Council currently utilises both FA for the Supply of Natural Gas and the Supply of Electricity to all other Council establishments.

4. Main Issues

- 4.1** The Scottish Procurement FA for the Supply of Natural Gas consists of a single supplier (Total Gas and Power Ltd). The Scottish Procurement FA for the Supply of Electricity consists of a single supplier (EDF Energy Customers Ltd). These FA therefore, requires that a Direct Award procedure be implemented - application of the terms laid down in the FA without re-opening competition. There is no facility to undertake a further competition as part of these FA.
- 4.2** It is recommended that the contract for Supply of Natural Gas be awarded to Total Gas and Power Ltd; based in London, England. The contract shall be for a period of up to 12 months with the option to extend for a further period of up to 12 months. The total estimated value of this contract is £431 ex VAT for 12 months and £2,514 ex VAT for 24 months.
- 4.3** It is recommended that the contract for Supply of Electricity be awarded to EDF Energy Customers Ltd based in London, England. The contract shall be for a period of up to 12 months with the option to extend for a further period of up to 12 months. The total estimated value of the contract is £246,000 ex VAT and £888,000 ex VAT for 24 months.
- 4.4** The contracts will be placed by the Council and will have the option to be terminated or to be novated by the Council to the Energy Service Company (ESCO) established for the District Heating Network.
- 4.5** Total Gas and Power Ltd and EDF Energy Customers Ltd have committed to follow the Fair Working Practices identified within the Scottish Procurement FA and both pay above the Real Living Wage (minimum of £9.30 per hour). EDF Energy Customers Ltd is a Living Wage Accredited organisation, whilst Total Gas and Power Ltd are currently progressing formal Living Wage Accreditation.
- 4.6** Total Gas and Power Ltd and EDF Energy Customers Ltd have committed to a range of Social Benefits at FA level, including:
- Commitment to using local supply chain partners and contractors wherever possible thus promoting opportunities for Small and Medium-sized Enterprises and maximising the benefit to the local economy; and
 - Providing FA customers with upskilling opportunities through customer workshops, industry training and educational material.

Social Benefits will be discussed with Total Gas and Power Ltd and EDF Energy Customers Ltd at the pre-start meetings and actions to take these forward will be agreed.

5. People Implications

5.1 There are no people implications.

6. Financial and Procurement Implications

6.1 Financial costs in respect of this contract will be met from the approved revenue budgets of the Queens Quay District Heating Funding.

6.2 The estimated cost implications for this Council are:

Total Gas and Power Ltd	Year 1	Year 2
Estimated Usage - kilowatt-hour (kWh)	4,257	1,841
Gas Import Variable Cost	£64	£776
Standing Charges	£350	£1,066
Climate Change Levy	£17	£241
Annual Costs	£431	£2,083
Total	£2,514	

EDF Energy Customers Ltd	Year 1	Year 2
Estimated Usage (kWh)	21,430,086	4,341,237
Electric Import Variable Cost	£191,000	£564,000
Standing Charges	£43,000	£43,000
Climate Change Levy	£12,000	£35,000
Annual Costs	£246,000	£642,000
Total	£888,000	

6.3 This procurement exercise was conducted in accordance with the agreed Contract Strategy produced by the Corporate Procurement Unit in consultation with the Capital Investment Team and the provisions of Contract Standing Orders, the Financial Regulations and relevant procurement legislation.

7. Risk Analysis

7.1 The successful suppliers have no known links to Serious and Organised Crime which would have significant political and reputational ramifications for the Council.

8. Equalities Impact Assessment (EIA)

8.1 Following an initial screening there are no potential negative impacts identified in terms of equality.

9. Consultation

9.1 Consultation has taken place with the Capital Projects Manager, Energy and Compliance, Legal Services and Finance Services.

10. Strategic Assessment

10.1 The Supply of Natural Gas and the Supply of Electricity for the District Heating Network will contribute to the delivery of the Council's main strategic priorities for 2017 – 2022, by supporting the provisions of:

- A Strong local economy and improved employment opportunities;
- Meaningful community engagement with active empowered and informed citizens who feel safe and engaged;
- Open, accountable and accessible local government; and
- Efficient and effective frontline services that improve the everyday lives of residents.

Name: Angela Wilson

Designation: Strategic Director of Transformation & Public Service Reform

Date: 03 August 2020

Person to Contact: David Aitken – Procurement Business Partner, Corporate Procurement Unit, e-mail: David.aitken2@west-dunbarton.gov.uk

Appendices: Not Applicable

Background Papers: Contract Strategy
EIA Screening

Wards Affected: Ward 5 – Clydebank Central

WEST DUNBARTONSHIRE COUNCIL**Report by Strategic Director of Transformation and Public Service Reform****Tendering Committee: Wednesday, 19 August 2020**

Subject: Contracts Awarded**1. Purpose**

- 1.1** The purpose of this report is to advise the Tendering Committee of contracts awarded in line with agreed delegations.

2. Recommendations

- 2.1** It is recommended that the Tendering Committee notes those contracts awarded in line with agreed delegations as outlined in [Appendix 1](#).

3. Background

- 3.1** Clause 39(c) of the *Standing Orders* confirms that all tenders from £50,000 shall be submitted to the Tendering Committee for approval (excluding tenders for social care and other related services). Further, the authority is granted under Clause 35(b)(iii) and (iv) for urgent delegated powers with a report submitted to the next Tendering Committee for noting.
- 3.2** The budget for these contracts was approved at Council and at the Corporate Services Committee. These procurement exercises have been conducted in accordance with the Council's *Standing Orders* and *Financial Regulations* and the *Public Contracts (Scotland) Regulations 2015*. The Contract Strategy documents were also approved.
- 3.3** The Provision of Light Commercial Vehicles and Associated Services contracts were originally approved by the Tendering Committee on 19 February 2020 however before awarding the contracts; the supplier noted errors in their pricing and subsequently withdrew their offers.

4. Main Issues

- 4.1** The contracts were procured under a:
- Replacement of School Audio Visual Equipment - Scottish Government's National IT Peripherals framework agreement using the Direct Award procedures - application of the terms laid down in the framework agreement without re-opening competition;
 - Robotic Process Automation - Crown Commercial Services framework agreement using the Direct Award procedures - application of the terms laid down in the framework agreement without re-opening competition;
 - ICT Purchase of Annual Microsoft 365 Licenses for Education - Crown Commercial Services framework agreement using the Reverse e-Auction

procedures - re-opening competition using a web-based portal which enables the suppliers within the framework agreement, who are capable of meeting a particular need, to compete online and in real time; and

- Provision of Light Commercial Vehicles and Associated Services - Procurement Partnership Limited (TPPL) framework agreement using the Mini Competition procedures - re-opening competition between all those suppliers within a framework agreement who are capable of meeting a particular need.

4.2 The contracts were evaluated in accordance with the procedures set-out in the *Financial Regulations*.

4.3 Any Fair Working Practices and committed Social Benefits are listed in [Appendix 1](#).

5. People Implications

5.1 There are people implications for the Robotic Process Automation contracts, in that the contracts may free up resources for other added value tasks.

6. Financial and Procurement Implications

6.1 For those contracts listed in [Appendix 1](#); the budget was approved at the Corporate Services Committee or at Council.

6.2 The contracts savings are:

- Robotic Process Automation Software Licenses - £4,884 over four years;
- ICT Purchase of Annual Microsoft 365 Licenses for Education - £2,960 in one year; and
- Provision of Light Commercial Vehicles and Associated Services - £16,317 changing the supplier.

6.3 The procurement procedures outlined in this report shall ensure that the Council meets its statutory requirements.

7. Risk Analysis

7.1 Failure to implement the Robotic Process Automation contracts; may mean duplication of work and inefficient manual entry processes.

7.2 The successful suppliers have no known links to serious and organised crime which would have significant political and reputational ramifications for the Council.

8. Equalities Impact Assessment (EIA)

8.1 The Equalities Impact Assessments screening was undertaken. The Robotic Process Automation contracts determined that a full Equalities Impact Assessment was required.

9. Consultation

9.1 Finance Services, Legal Services and the Services to which the report relates; have been consulted.

10. Strategic Assessment

10.1 These contracts contribute to delivery of the Council strategic priorities by supporting the provision of efficient and effective front line services that improve the everyday lives of residents.

Name: Angela Wilson

Designation: Strategic Director of Transformation and Public Service Reform

Date: 31 July 2020

Person to Contact: Annabel Travers – Procurement Manager, Corporate Procurement Unit, e-mail annabel.travers@west-dunbarton.gov.uk

Appendices: Appendix 1 - Contracts Awarded

Background Papers: Contract Authorisation Report - Replacement of School Audio Visual Equipment

Contract Authorisation Report – Robotic Process Automation (RPA) Software Licenses;

Contract Authorisation Report – Robotic Process Automation (RPA) Implementation Consultancy;

Contract Authorisation Report – ICT Purchase of Annual Microsoft 365 Licenses for Education

Contract Authorisation Report – Update for the Provision of Light Commercial Vehicles and Associated Services; and

Contract Authorisation Report - Provision of Light Commercial Vehicles and Associated Services

Wards Affected: All

Appendix 1

Contract Title	Supplier Awarded	Start Date	End Date (prior to extension option)	End Date (inc. extension option)	Total Value (prior to extension option)	Total Value (inc. extension option)	Fair Working Practices	Social Benefits
Replacement of School Audio Visual Equipment	Computacenter Ltd	27/03/20	26/03/21	-	£150,000	-	Pay all staff above the Real Living Wage (minimum of £9.30 per hour)	-
Robotic Process Automation Software Licenses	UiPath SRL, Romania	31/03/20	30/03/22	30/03/23	£137,720	£275,440	Pay all staff above the National Living Wage (minimum of £7.38 per hour)	-
Robotic Process Automation Implementation Consultancy	VKY Intelligent Automation Limited, Glasgow	31/03/20	30/03/22	-	£70,000	-	Pay all staff above the Real Living Wage (minimum of £9.30 per hour)	Donation to a local sports community group. The details have still to be determined.
ICT Purchase of Annual Microsoft 365 Licenses for Education	Insight Direct (UK) Ltd	01/07/20	30/06/21	-	£89,040	-	Pay all staff above the Real Living Wage (minimum of £9.30 per hour)	-
Provision of Light	Parks Motor	01/08/20	31/07/25	-	£302,446 (off	-	Pay above the	Recruitment

Commercial Vehicles and Associated Services: Lot 2 - Crew Cab Tippers & Tail Lift (x10)	Group (Peugeot Motor Company Ltd); Hamilton		(inclusive of 5 year warranty)		road) £305,646 (on road)		UK National Living Wage (minimum of £7.38 per hour)	of local temporary person(s) who are unemployed. The details have still to be determined. 1x local person for work experience for a week.
Provision of Light Commercial Vehicles and Associated Services: Lot 2 - Crew Cab Tippers including Jib Crane (x2)	Parks Motor Group (Peugeot Motor Company Ltd); Hamilton	01/08/20	31/07/25 (Inclusive of 5 year warranty)	-	£60,189 (off road) £60,549 (on road)	-	Pay above the UK National Living Wage (minimum of £7.38 per hour)	