

Agenda



Tendering Committee

Date: Wednesday, 15 March 2023

Time: 09:15

Venue: 'The Bridge' Meeting Room,
Council Offices, 16 Church Street, Dumbarton

Contact: Scott Kelly, Committee Officer
Tel: 01389 737220. Email: scott.kelly@west-dunbarton.gov.uk

Dear Member

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

The business is shown on the attached agenda.

Yours faithfully

PETER HESSETT

Chief Executive

Distribution:

Councillor John Millar (Chair)
Councillor Karen Conaghan
Councillor James McElhill
Councillor June McKay (Vice Chair)
Councillor Lawrence O'Neill
Councillor Chris Pollock
Councillor Hazel Sorrell
Councillor Clare Steel

All other Councillors for information

Chief Officer – Supply, Distribution and Property
Chief Officer – Regulatory and Regeneration

Date of Issue: 2 March 2023

TENDERING COMMITTEE
WEDNESDAY, 15 MARCH 2023

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 – 7

Submit, for approval as a correct record, the Minutes of Meeting of the Tendering Committee held on 15 February 2023.

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 FRESH FRUIT AND VEGETABLES 9 – 11

Submit report by the Chief Officer – Supply, Distribution and Property seeking approval to authorise the Chief Officer – Regulatory and Regeneration to conclude the award of the contract for the Supply of Fresh Fruit and Vegetables.

6 CONNECTING DUMBARTON REGENERATION WORKS To Follow

Submit report by the Chief Officer – Supply, Distribution and Property seeking approval to authorise the Chief Officer – Regulatory and Regeneration to conclude the award of the contract for Connecting Dumbarton Regeneration Works.

TENDERING COMMITTEE

At a Meeting of the Tendering Committee held in 'The Bridge' Meeting Room, Council Offices, 16 Church Street, Dumbarton on Wednesday, 15 February 2023 at 9.15 a.m.

Present: Councillors Karen Conaghan, June McKay, John Millar, Lawrence O'Neill and Chris Pollock.

Attending: Angela Wilson, Chief Officer – Supply, Distribution and Property; Angus Cameron and Laura Adams, Business Partners – Strategic Procurement; and Scott Kelly, Committee Officer.

Apologies: Apologies for absence were intimated on behalf of Councillors James McElhill, Hazel Sorrell and Clare Steel.

Councillor John Millar 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 25 January 2023 were submitted and approved as a correct record.

OPEN FORUM

The Committee noted that no open forum questions had been submitted by members of the public.

**CONTRACT AUTHORISATION REPORT – TREATMENT OF ORGANIC WASTE:
CO-MINGLED FOOD/GARDEN WASTE**

A report was submitted by the Chief Officer – Supply, Distribution and Property seeking approval to authorise the Chief Officer – Regulatory and Regeneration to conclude the award of the contract for the Treatment of Organic Waste – Co-mingled Food/Garden Waste.

Having heard Ms Adams, Business Partner – Strategic Procurement, in answer to a Member's questions, the Committee agreed:-

- (1) to authorise the Chief Officer – Regulatory and Regeneration to conclude, on behalf of the Council, the award of the contract for the Treatment of Organic Waste: Co-mingled Food/Garden Waste to Keenan (Recycling) Limited; and
- (2) to note: (i) that the contract shall be for a period of two years with the option of two 12-month extensions and at a value of £585,000 inclusive of VAT over two years and £1,170,000 inclusive of VAT should the contract be extended; and (ii) that the estimated commencement date of the contract was 28 February 2023.

CONTRACT AUTHORISATION REPORT – PROVISION OF FRESH MEATS, PROVISION OF COOKED MEATS, PROVISION OF FRESH FISH AND PROVISION OF FROZEN FOODS

A report was submitted by the Chief Officer – Supply, Distribution and Property seeking approval to authorise the Chief Officer – Regulatory and Regeneration to conclude the award of four contracts for the Provision of Fresh Meats, Cooked Meats, Fresh Fish and Frozen Foods.

Having heard Mr Cameron, Business Partner – Strategic Procurement, in answer to Members' questions, the Committee agreed:-

- (1) to note that paragraph 2.1 (f) of the report contained a typographical error and that the correct value of the contract for the Provision of Frozen Foods was £3,674,234.17 inclusive of VAT;
- (2) to authorise the Chief Officer – Regulatory and Regeneration to conclude, on behalf of the Council, the award of four contracts for:-
 - (a) the Provision of Fresh Meats utilising the Scotland Excel (SXL) Framework Agreement (FA) for Provision of Fresh Meat, Cooked Meats and Fresh Fish to McLays Ltd;
 - (b) the Provision of Cooked Meat utilising the SXL FA for Provision of Fresh Meat, Cooked Meats and Fresh Fish to Brake Brothers Ltd;
 - (c) the Provision of Fresh Fish utilising the SXL FA for Provision of Fresh Meat, Cooked Meats and Fresh Fish to Campbell Brothers Ltd; and
 - (d) the Provision of Frozen Foods utilising the SXL FA for Provision of Frozen Foods to Brake Brothers Ltd;

- (3) to note: (i) that the contracts for the Provision for Fresh Meat, Provision of Cooked Meat and Provision of Fresh Fish shall be for a period of four years, with no extension, and at a combined value of £1,663,070 inclusive of VAT; and (ii) that the estimated commencement date of the contracts was 31 March 2023; and
- (4) to note: (i) that the contract for the Provision for Frozen Foods shall be for a period of four years, with no extension, at a value of £3,674,234.17 inclusive of VAT; and (ii) that the estimated commencement date of the contract was 1 April 2023.

NOTE OF CONTRACT AWARD – PROVISION OF REPLACEMENT OF A WIRELESS ACCESS POINT

A report was submitted by the Chief Officer – Supply, Distribution and Property providing an update on the contract for the Provision of Replacement of a Wireless Access Point.

Having heard the Chief Officer in further explanation of the report, the Committee agreed:-

- (1) to note that the Chief Officer – Regulatory and Regeneration would conclude, on behalf of the Council, the award of the contract for the Provision of Replacement of a Wireless Access Point to Capita PLC, under Financial Regulations – 8.1c; and
- (2) to note that the contract value shall be £475,019.40 and that the period was from 27 January 2023 to 27 January 2024.

SUPPORTED LIVING SERVICES FOR PEOPLE WITH LEARNING DIFFICULTIES

Having heard Mr Cameron, Business Partner – Strategic Procurement, the Committee noted that this item had been withdrawn from the agenda for the meeting due to value of the contracts having been lower than expected and that it had therefore been possible for contract awards to be made using officers' delegated authority.

The meeting closed at 9.30 a.m.

WEST DUNBARTONSHIRE COUNCIL**Report by Chief Officer – Supply, Distribution and Property****Tendering Committee: 15 March 2023**

Subject: Contract Authorisation Report – Supply of Fresh Fruit and Vegetables**1. Purpose**

- 1.1** The purpose of this report is to seek the approval of the Tendering Committee to authorise the Chief Officer – Regulatory and Regeneration to conclude the award of the contract for the Supply of Fresh Fruit and Vegetables.

2. Recommendations

- 2.1** It is recommended that the Tendering Committee:
- a) Authorise the Chief Officer – Regulatory and Regeneration to conclude on behalf of West Dunbartonshire Council (the Council), the award of the contract for the Supply of Fresh Fruit and Vegetables utilising the Scotland Excel (SXL) Framework Agreement (FA) for Supply & Distribution of Fresh Fruit and Vegetables to McLay's Ltd.
 - b) Note that the contract shall be for a period of four years with no extension at a value of £639,166.26 inclusive of VAT. The estimated commencement date of the contract is 1 April 2023.

3. Background

- 3.1** The Council has a requirement for Education and Health and Social Care establishments to procure a range of Fresh Fruit and Vegetables.
- 3.2** The overall budgets for the Supply of Fresh Fruit and Vegetables was approved as part of wider service budgets at the West Dunbartonshire Council meeting on the 9 March 2022 and 21 March 2022 for the West Dunbartonshire Health & Social Care Partnership (WD HSCP) Integrated Joint Board.
- 3.3** This procurement exercise has been conducted in accordance with the Council's Standing Orders and Financial Regulations and the Public Procurement Regulations. A Contract Strategy document was also approved on 17 February 2023.

4. Main Issues

- 4.1** Historically, the Council has used SXL FAs to source these products and the Contract Strategy identified that SXL is still the best route to market for these products.

- 4.2** A benchmarking exercise was carried out using the SXL basket of goods which showed McLay's Ltd was the cheapest supplier. McLay's Ltd also offered a 2% discount which no other supplier offered. The exercise also highlighted the weight and units of measure resulting in McLay's Ltd having more kilograms per box meaning less packaging. McLay's Ltd is the incumbent supplier and by staying with the current supplier there is minimal disruption or cost of change. Finally, McLay's Ltd have been awarded other food provision contracts for the Council which means all orders will be combined in one delivery, supporting the Council's carbon reduction measures.
- 4.3** It is recommended that the contract is awarded to McLay's Ltd of Glasgow. The contract shall be for a period of four years with no option to extend and at a value of £639,166.26 inclusive of VAT.
- 4.4** McLay's Ltd has committed to paying all staff as a minimum the real Living Wage (£10.90 per hour) and promotes Fair Working Practices across their organisation.
- 4.5** Social benefits will be discussed at the implementation meeting with McLay's Ltd 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 the contract will be met from the approved revenue budgets of Council and WD HSCP establishments approved at the Council meeting of 9 March 2022 and the Integrated Joint Board meeting of 22 March 2022.
- 6.2** This procurement exercise was conducted in accordance with the agreed Contract Strategy produced by the Corporate Procurement Unit in close consultation with the services of Facilities Management and WD HSCP officers and the provisions of Contract Standing Orders, the Financial Regulations and Public Procurement Regulations.

7. Risk Analysis

- 7.1** McLay's Ltd has 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** An equalities screening was undertaken for this report to determine if there is an equalities impact. The results were that there is no equalities impact.

9. Consultation

- 9.1** Citizen, Culture and Facilities Services, WD HSCP, Finance Services and Legal Services have been consulted on the contents of this report.

10. Strategic Assessment

10.1 The Supply of Fresh Fruit and Vegetables will contribute to the delivery of the Council's and WD HSCP strategic priorities:

- Our communities – resilient and thriving;
- Manage resources effectively, making best use of our integrated capacity.

Name: Angela Wilson

Designation: Chief Officer – Supply, Distribution and Property

Date: 23 February 2023

Person to Contact: Victoria Wilson, Procurement Officer,
Corporate Procurement Unit, 16 Church Street,
Dumbarton
Victoria.Wilson@west-dunbarton.gov.uk

Appendices: None

Background Papers: Contract Strategy
EIA screening

Wards Affected: All