

# WEST DUNBARTONSHIRE COUNCIL

## Report by Chief Officer – Roads and Neighbourhood

### Special Infrastructure Regeneration and Economic Development Committee:

10 June 2021

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**Subject: Contract Authorisation Report - Processing and Treatment of Co-mingled Recyclate**

#### **1. Purpose**

**1.1** The purpose of this report is to seek the approval of Committee to authorise the Chief Officer – Roads and Neighbourhood to conclude the extension to our current Processing and Treatment of Co-mingled Recyclate contract for six months.

**1.2** Waste Services are also seeking approval to tender for a four year contract.

#### **2. Recommendations**

**2.1** It is recommended that the Committee:

- a) notes the circumstances advised regarding the requirement for a contract extension at this point as detailed in the report;
- b) authorises the Chief Officer – Regulatory and Regeneration to conclude on behalf of West Dunbartonshire Council (WDC), the six month extension of the contract for the Processing and Treatment of Co-mingled Recyclate at a value of £337,500 ex VAT. (2,700 tonnes x £125.00) (current rate); and
- c) authorises the Chief Officer – Roads and Neighborhood to re-tender on behalf of West Dunbartonshire Council (WDC), the requirement for Processing and Treatment of Co-mingled Recyclate for a maximum period of 4 years, in advance of the extended contract end date and to commence by 01 November 2021.

#### **3. Background**

**3.1** There is a statutory obligation on all Councils to make arrangements to collect and recycle or process and dispose of waste and recyclate from households and civic amenity sites. The requirement is to continue service provision with a competent service provider with reception facilities to carry out the processing, treatment and disposal of the co-mingled recyclate at kerbside bin collections and the recyclate at civic amenity sites

**3.2** A collaborative procurement exercise with Argyll and Bute Council was carried out in December 2019 which invited the 31 service providers listed on the

Scotland Excel framework agreement from across Scotland, this procurement was deemed unaffordable and terminated. The only bid submitted was from Enva Scotland Ltd. who are our current service provider on an emergency contract.

- 3.3 The processing and treatment of co-mingled waste will in part support WDC to meet their recycling targets, this will also support WDC to meet their statutory obligation on collection and disposal of waste.
- 3.4 WDC budget is included in the operational and revenue costs and this was approved at Council on 22 March 2021.
- 3.5 This contract was previously awarded and appropriate extension periods applied, however as a result of conflicting priorities it has not been possible to undertake a new procurement process on time. It is therefore recommended that due to the statutory nature of the service requirement that a further contract extension is made by direct award to the existing contractor. This award being made in accordance with the Council's Standing Orders and Financial Regulations and the *Public Contracts (Scotland) Regulations 2015* (above the EU threshold) under Financial Regulation Q8C.
- 3.6 A Contract Strategy document was approved by the Procurement Manager on 06 May 2020.

#### **4. Main Issues**

- 4.1 The Contract Strategy identified that Scotland Excel's Dynamic Purchasing System for the Treatment and Disposal of Recyclable and Residual Waste was the best route to market.
- 4.2 Under Lot 1 - Treatment of Co-mingled Mixed Recyclate, Enva Scotland Ltd. were identified as the preferred bidder.
- 4.3 It is recommended that we award an extension to Enva Scotland Ltd., of 49 Burnbrae Road, Linwood, Paisley, Renfrewshire PA3 3BD. The contract extension shall be for a maximum period of six months at a value of £337,500 excluding VAT.
- 4.4 Enva Scotland Ltd. has committed to paying all staff as a minimum, the National Living wage and promotes Fair Working Practices across their organisation.

#### **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 Waste Services.
- 6.2 The term of the contract extension will allow for a tendering exercise to secure a further four year contract.
- 6.3 This procurement exercise was conducted in accordance with the agreed contract strategy produced by the Corporate Procurement Unit in close consultation with Waste Service officers and the provisions of WDC's Contract Standing Orders, the WDC's Financial Regulations and relevant procurement legislation.

## 7. Risk Analysis

- 7.1 Enva Scotland Ltd. has no known links to Serious and Organised Crime which would have significant political and reputational ramifications for the Councils.
- 7.2 Should the Tendering Committee decide not to proceed as recommended then this will leave the Council non compliant, may have financial implications if we can not secure a fixed rate and could result in additional costs and potential reputational ramifications.

## 8. Equalities Impact Assessment (EIA)

- 8.1 An equalities impact assessment screening was undertaken by Waste Services which determined no negative equalities impacts.

## 9. Consultation

- 9.1 Finance Services, Legal Services and Waste Services have been consulted in relation to the content of this report

## 10. Strategic Assessment

- 10.1 The award of this contract for Processing and Treatment of Co-mingled Waste will ensure efficiency in the provision of this service:

“Efficient and effective frontline services that improve the everyday lives of residents”.

**Name: Gail McFarlane**

Designation: Chief Officer - Roads and Neighbourhood

Date: 02 June 2021

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**Person to Contact:** Jenna McCrum

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**Appendices:** None

**Background Papers:** The Contract Strategy  
EIA Screening

**Wards Affected:** All Council Wards