

Agenda



Tendering Committee

Date: Wednesday, 25 April 2018

Time: 09:15

Venue: Council Chamber, Clydebank Town Hall,
Dumbarton Road, Clydebank

Contact: Scott Kelly, Committee Officer
Tel: 01389 737220 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

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: 12 April 2018

TENDERING COMMITTEE
WEDNESDAY, 25 APRIL 2018

AGENDA

1 APOLOGIES

2 DECLARATIONS OF INTEREST

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

3 MINUTES OF PREVIOUS MEETING 5 – 8

Submit, for approval as a correct record, the Minutes of Meeting of the Tendering Committee held on 21 March 2018.

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 – EMAIL FILTERING AND GATEWAY SOLUTION 9 – 14

Submit report by the Strategic Lead - Resources seeking approval to authorise the Strategic Lead - Regulatory to conclude the award of the contract for the Email Filtering and Gateway Solution to Infosec Cloud Ltd.

6 CONTRACT AUTHORISATION REPORT – RIVER LEVEN FORESHORE WORKS, DUMBARTON 15 – 18

Submit report by the Strategic Lead - Resources seeking approval to authorise the Strategic Lead - Regulatory to conclude the award of the contract for the River Leven Foreshore Works, Dumbarton.

TENDERING COMMITTEE

At a Meeting of the Tendering Committee held in Committee Room 3, Council Offices, Garshake Road, Dumbarton on Wednesday, 21 March 2018 at 9.15 a.m.

Present: Provost William Hendrie and Councillors Gail Casey, Ian Dickson, Diane Docherty, Jim Finn, Marie McNair, Lawrence O'Neill and Brian Walker.

Attending: Stephen West, Strategic Lead - Resources; Ronnie Dinnie, Strategic Lead - Environment & Neighbourhood; Annabel Travers, Procurement Manager; Alison Wood, Business Partner - Strategic Procurement; David Aitken, Business Partner - Strategic Procurement; Ian Hutchison, Senior Procurement Officer; Aileen Toland, Procurement Officer; and Craig Stewart, Committee Officer.

Councillor Jim Finn 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 21 February 2018 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 – CASH IN TRANSIT (CASH COLLECTION, RECEIVING, HOLDING & TRANSFER SERVICE)

A report was submitted by the Strategic Lead - Resources seeking approval to authorise the Strategic Lead - Regulatory to conclude the award of the contract for Cash in Transit.

After discussion and having heard the Procurement Officer in further explanation of the report and in answer to Members' questions, the Committee agreed:-

- (1) that the Strategic Lead - Regulatory be authorised to conclude on behalf of West Dunbartonshire Council (the Council), the award of the contract for Cash in Transit to Security Plus + Limited;
- (2) to note that the contract shall be for a period of 3 years with the option to extend for up to a further two 12 month periods;
- (3) to note that the tender was advertised with 2 lots (Lot 1 for the Council and Lot 2 for West Dunbartonshire Leisure Trust (WDLT)) with bidders required to bid for both lots; and
- (4) to note: (i) that the three year value of the contract for the Council was £66,069.00, excluding VAT; (ii) that the value of the contract over the five year term for the Council was £110,115.00, excluding VAT; (iii) that the three year value of the contract for WDLT was £16,380.00, excluding VAT; and (iv) that the value of the contract over the five year term for WDLT was £27,300, excluding VAT.

CONTRACT AUTHORISATION REPORT – PAYMENT PROCESSING

A report was submitted by the Strategic Lead - Resources seeking approval to authorise the Strategic Lead - Regulatory to conclude the award of the contract for Payment Processing.

After discussion and having heard the Procurement Officer in further explanation of the report and in answer to Members' questions, the Committee agreed:-

- (1) that the Strategic Lead - Regulatory be authorised to conclude on behalf of West Dunbartonshire Council (the Council), the award of the contract for Payment Processing to Allpay Limited; and
- (2) to note: (i) that the contract shall be for a period of three years with the option to extend for up to a further 12 month period; (ii) that the three year value of the contract was £168,000, excluding VAT; and (iii) that the value of the contract over the full four years was £224,000, excluding VAT.

CONTRACT AUTHORISATION REPORT – CASH RECEIPTING SYSTEM

A report was submitted by the Strategic Lead - Resources seeking approval to authorise the Strategic Lead - Regulatory to conclude the award of the contract for the Cash Receipting System.

After discussion and having heard the Procurement Officer and the Procurement Manager in further explanation of the report and in answer to Members' questions, the Committee agreed:-

- (1) that the Strategic Lead - Regulatory be authorised to conclude on behalf of West Dunbartonshire Council (the Council), the award of the contract for the Cash Receipting System to Capita Business Services Limited; and
- (2) to note: (i) that the contract shall be for a period of three years with the option to extend for a further two 12 month periods; (ii) that the three year value of the contract was £72,584.91, excluding VAT; and (iii) that the five year value of the contract is £90,692.57, excluding VAT.

CONTRACT AUTHORISATION REPORT – ROADS CIVILS FRAMEWORK AGREEMENT

A report was submitted by the Strategic Lead - Resources seeking approval to authorise the Strategic Lead - Regulatory to conclude the award of the collaborative Roads Civils Framework Agreement.

After discussion and having heard the Senior Procurement Officer and relevant officers in further explanation of the report and in answer to Members' questions, the Committee agreed:-

- (1) that the Strategic Lead - Regulatory be authorised to conclude on behalf of West Dunbartonshire Council (the Council), the award of the collaborative Roads Civils Framework Agreement (FA) to the following bidders:-

Lot 1 – Large

Rank	Tenderer Name	Location
1.	Luddon Construction Ltd	Glasgow
2.	Tarmac Ltd	South Normanton
3.	JH Civil Engineering Ltd	Airdrie
4.	Hillhouse Quarry Group Ltd	Troon
5.	MacLay Civil Engineering Ltd	Airdrie
6.	Mac Asphalt Ltd	Paisley

Lot 2 – Small

Rank	Tenderer Name	Location
1.	JH Civil Engineering Ltd	Airdrie
2.	Mac Asphalt Ltd	Paisley
3.	Newlay Civil Engineering	Airdrie
4.	Luddon Construction Ltd	Glasgow
5.	MacLay Civil Engineering Ltd	Airdrie
6.	Hillhouse Quarry Group Ltd	Troon
7.	Coltart Contracts Ltd	Kilmarnock
8.	Lighways (Contractors) Ltd	Larbert
9.	Newmac Asphalt Services Ltd	Paisley
10.	Tarmac Ltd	South Normanton
11.	John McGeady Ltd	Glasgow
12.	Centre Great	Bridgend

;

- (2) to note: (i) that the FA shall be for a period of 2 years with the option to extend by a further 2 periods of 12 months; and (ii) that the value of the FA over the 4 year term for the 3 Councils was £21.5million, excluding VAT; and
- (3) that the Strategic Lead - Regulatory be authorised to conclude on behalf of the 3 Councils, any contracts these Councils will award in the first 2 years of commencing the Roads Civils FA, with a total value no greater than £11.5 million over the initial 2 year period, excluding VAT.

The meeting closed at 9.34 a.m.

DRAFT

WEST DUNBARTONSHIRE COUNCIL**Report by Strategic Lead – Resources****Tendering Committee: 25th April 2018**

Subject: Contract Authorisation Report – E mail Filtering and Gateway Solution

1. Purpose

- 1.1** The purpose of this report is to seek the approval of Tendering Committee to authorise the Strategic Lead - Regulatory to conclude the award of the contract for the Email Filtering and Gateway Solution to Infosec Cloud Ltd.

2. Recommendations

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

- a) Authorise the Strategic Lead Regulatory to conclude on behalf of West Dunbartonshire Council (the Council), the award of the contract for the Email Filtering and Gateway Solution to Infosec Cloud Ltd.; and
- b) Note that the contract shall be for a period of three years at a cost of £69,360 ex VAT.

3. Background

- 3.1** The Council has participated in a collaborative procurement with East Dunbartonshire Council (EDC) for an email filtering solution. EDC acted as Lead Authority for this tender under a Minute of Agreement and it has been agreed that each authority will award their own contracts separately to the successful bidder.
- 3.2** An email filtering and gateway solution is required to provide the first layer of security for external threats to systems sent via emails and to reduce the amount of SPAM emails being delivered to end users. This solution covers threat vectors such as phishing, viruses and ransomware and also provides Zero Day Protection (against attacks that exploit previously unknown security vulnerabilities).
- 3.3** Whilst reducing SPAM and providing protection to our systems, an additional benefit of this product is that it will ensure compliance with the UK Government's Secure Email Blueprint (SEB) for Public bodies. Scottish Government's Public Sector Action Plan for Cyber Security has an expectation of compliance with this by Aug 2018.

- 3.4** The anticipated budget for email filtering and gateway solution was included in the 2017-18 *ICT Contract Spend* report under “Planned Capital Spend” – Web Filtering and E mail Filtering which was noted by the Corporate Services Committee on 8th February 2017. This included a clause at section 3.4 which indicated the following: ‘The scope for each project will include some spend flexibility in each area’ of which £38,000 was identified as unallocated for this purpose. This procurement exercise has been conducted in accordance with the Council’s Standing Orders and Financial Regulations and the Public Contracts (Scotland) Regulations 2016 (below the EU Threshold) for Services. A Contract Strategy document has been completed by EDC.
- 3.5** A contract notice was published on the Public Contracts Scotland advertising portal on 15th August 2017. Thirty six suppliers expressed an interest, with three suppliers submitting a response by the deadline for submissions of 12 noon on 7 September 2017.

4. Main Issues

- 4.1** The three tender submissions were evaluated by representatives from EDC team and the Council’s Corporate Procurement Unit and ICT team against pre-determined selection criteria forming part of the published tender documents which assessed competence, experience, and capacity. Two tender submissions passed the selection criteria.
- 4.2** Two tender submissions were evaluated against a set of award criteria which was based on a total cost of ownership / quality ratio of 40% / 60 %. The scores relative to the award criteria of each tenderer are as follows:

	Infosec Cloud Ltd.	Enforce Technology Ltd.
Quality (60%)		
Solution (30%)	14.40	12.60
Implementation (5%)	1.95	1.95
Integration (5%)	2.40	1.50
Migration (15%)	6.75	5.40
Information and Management Console and Reporting (10%)	4.50	4.50
Solution and Features (10%)	4.80	3.60
Skills Transfer (10%)	3.60	3.30
Maintain Service during the period of the contract (15%)	7.20	7.20
Quality Sub-Total:	45.60	40.05

Total Cost of Ownership (40%)		
Price – 3 years	£69,360	£76,939
Price Score	40.00	36.06
TCO Sub-Total:	40.00	36.06
Total Score:	85.60	76.11

4.3 It is recommended that the contract is awarded to Infosec Cloud Ltd. of Basingstoke, Hampshire who has provided the most economically advantageous tender. The contract shall be for a period of three years at a value of £69,360, ex VAT. The value of the contract is above the £50,000 budget noted by the Corporate Services Committee on 8th February 2017 and the extra funding will be provided by the 2017-18 ICT Capital budget from the £38,000 identified for such cost variation (per 3.4 above).

4.4 EDC included questions on Fair Working Practices and Community Benefits in their tender documents but these were neither mandatory nor scored and Infosec Cloud Ltd. did not answer these questions.

6. People Implications

6.1 There are no People issues.

7. Financial and Procurement Implications

7.1 Financial costs in respect of this contract will be met from the approved capital budgets of People and Technology, as detailed at 4.3 above.

7.2 This procurement exercise was conducted in accordance with the agreed contract strategy produced by EDC in consultation with the Corporate Procurement Unit in close consultation with ICT officers and the provisions of Contract Standing Orders, the Financial Codes and relevant procurement legislation.

The email filtering solution will contribute to the delivery of the Council strategic priorities by ensuring threats to the Council e mail communications infrastructure are minimised and controlled and by ensuring compliance with the UK Government's blueprint for secure email communications.

8. Risk Analysis

8.1 The UK government is gradually moving away from the use of PSN as a means of securing email between public bodies. UK Government Digital Services (GDS) issued a "Secure Email Blueprint" as guidance for public bodies wishing

to communicate securely with one another. Scottish Government has included this as part of their Public Sector Action Plan on Cyber Security with an expectation that all Scottish LA's will have this in place by August 2018. Failure to adopt the Secure Email Blueprint could result in other public bodies refusing to communicate with the Council via email.

- 8.2** The successful supplier has no known links to Serious and Organised Crime which would have significant political and reputational ramifications for the Council.
- 8.3** Should the Tendering Committee decide not to proceed as recommended then this will delay the project, may have financial implications and may result in legal challenge.

9. Equalities Impact Assessment (EIA)

- 9.1** EDC has not completed an equalities screening for this requirement so a screening has been done by the Council's ICT Services. The results were that there is no equalities impact.

10. Consultation

- 10.1** ICT, Finance and Legal and Democratic Services have been consulted regarding the contents of this report.

11. Strategic Assessment

- 11.1** High quality ICT equipment and services contribute to the Council's strategic priority of delivering fit for purpose estate and facilities and delivers a positive response to employee feedback in the annual ICT Customer Satisfaction Survey.
- 11.2** The contract will provide improved security and resilience through new functionality and ensure a fit for purpose ICT environment that supports all of the Council service areas to deliver on their strategic objectives.

Name: Stephen West

Designation: Strategic Lead - Resources

Date: 10 April 2018

Person to Contact: Alison Wood, Business Partner, Strategic Procurement Corporate Procurement Unit, Council Offices, Garshake Road, Dumbarton. Telephone: 01389 737664.

Appendices: None

Background Papers: Contract Strategy

EIA Screening

Wards Affected:

All

WEST DUNBARTONSHIRE COUNCIL

Report by Strategic Lead – Resources

Tendering Committee: 25 April 2018

Subject: Contract Authorisation Report – River Leven Foreshore Works, Dumbarton

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 River Leven Foreshore Works, Dumbarton.

2. Recommendations

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

- a) Authorise the Strategic Lead - Regulatory to conclude on behalf of West Dunbartonshire Council (the Council), subject to the agreement of the landowners (Turnberry Homes Ltd and Dumbarton Football Club), the award of the contract for the River Leven Foreshore Works to TSL Contractors Limited;
- b) Note the value of the contract is estimated at £318,904.10 excluding VAT;
- c) Note the contract shall be for a period of 16 weeks.

3. Background

- 3.1** The purpose of the tender is to appoint a suitably experienced and qualified contractor for the provision of River Leven Foreshore Works, Dumbarton.
- 3.2** The funding allocation for these works was previously agreed at the Infrastructure, Regeneration and Economic Development Committee on 16 August 2017. This is the first phase of enabling works to clean up the river's edge at River Leven Foreshore, Dumbarton, prior to the construction of a waterfront path linking Dumbarton Castle to Dumbarton Town Centre. These enabling works will be undertaken subject to the agreement of the landowners – Turnberry Homes Ltd and Dumbarton Football Club.
- 3.3** 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 Works. A Contract Strategy document was also approved by the Procurement Business Partner – Place on 12 February 2018.
- 3.4** A contract notice was published on the Public Contracts Scotland advertising

portal on 20 February 2018. 19 bidders expressed an interest, with five bidders submitting a bid by the deadline for the submissions of 2pm on 19 March 2018.

4. Main Issues

- 4.1** The five tender submissions were evaluated by representatives from the Economic Development service area, Corporate Procurement Unit, Health & Safety and Finance, against pre-determined selection criteria forming part of the published tender documents which assessed competence, experience, and capacity. All five tender submissions passed the selection criteria.
- 4.2** Five tender submissions were evaluated against a set of award criteria which was based on a price / quality ratio of 60% / 40%. The scores relative to the award criteria of each tenderer, are as follows:

Tenderer Name	Quality Score (40%)	Price Score (60%)	Total Score (100%)	Total Price
TSL Contractors Ltd	32.60%	55.40%	88.00%	£318,904.10
Covanburn Contracting Ltd	23.55%	60.00%	83.55%	£294,500.00
Luddon Construction Ltd	22.90%	36.17%	59.07%	£488,547.94
Go Wright Ltd	10.05%	39.95%	50.00%	£442,321.49
Diack & McAulay Ltd	3.30%	34.10%	37.40%	£518,500.00

It is recommended that the contract is awarded to TSL Contractors Ltd of Oban, Argyll & Bute, who provided the most economically advantageous tender. The tender shall be for a period of 16 weeks and a maximum value of £318,904.10. The estimated value of the contract is less than the budget approved by the Infrastructure, Regeneration and Economic Development Committee in August 2017.

- 4.3** TSL Contractors Ltd has committed to Fair Working Practices and pay all of their employees the national Living Wage or above.
- 4.4** TSL Contractors Ltd have committed to deliver:
- CITB trained Construction Ambassadors and HSQE Manager to make a presentation at a local school highlighting opportunities available in construction and highlighting health and safety risks within the construction industry; and
 - Employment of local operatives.
- 4.5** It should be noted that as the works are being undertaken on private land, the contract will only be awarded once agreements with landowners are in place. Agreements to access the site have been drafted and sent to landowners to progress this matter.

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 capital budgets of Regeneration, Environment & Growth. The value of the contract is below the budget of £500,000.

7. Risk Analysis

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

7.2 There is a risk that if the tender is not let that the works to the waterfront could be delayed significantly as the works require to be undertaken between May 2018 and August 2018 to avoid disturbance to wintering redshanks that occupy areas of the Leven between September 2018 and April 2019.

7.3 There is a risk that the private sector landowners do not agree to the works on their land. Previous discussions have indicated that such a situation would not arise and the landowners recognise the improvements being pursued are in their interest.

8. Equalities Impact Assessment (EIA)

8.1 An equalities screening was undertaken for this reports to determine if there is an equalities impact. The result was there is no equalities impact.

9. Consultation

9.1 Legal, Finance, Regeneration Environment & Growth have been consulted regarding the contents of this report.

10. Strategic Assessment

10.1 This report contributes to the Council's Strategic Priorities and in particular towards:

- A Strong local economy and improved employment opportunities.
- Efficient and effective frontline services that improve the everyday lives of residents.

Name: Stephen West

Designation: Strategic Lead - Resources

Date: 04 April 2018

Person to Contact: Ian Hutchison – Senior Procurement Officer, Corporate Procurement Unit, Council Offices, Garshake Road, Dumbarton. Telephone: 01389 737177.
Email ian.hutchison@west-dunbarton.gov.uk

Michael McGuinness, Economic Development Manager, Council Offices, Garshake Road, Dumbarton. Telephone: 01389 737415 Email michael.mcguinness@west-dunbarton.gov.uk

Appendices: Nil

Background Papers: Infrastructure, Regeneration and Economic Development Committee Report - 16 August 2017

Contract Strategy - River Leven Foreshore Works, Dumbarton

Wards Affected: Dumbarton