

# Supplementary Agenda



## Tendering Committee

**Date:** Wednesday, 27 February 2019

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**Time:** 09:30

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**Venue:** Clyde Room, Clydebank Town Hall,  
Dumbarton Road, Clydebank

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**Contact:** Scott Kelly, Committee Officer  
Tel: 01389 737220 [scott.kelly@west-dunbarton.gov.uk](mailto:scott.kelly@west-dunbarton.gov.uk)

Dear Member

### ITEMS TO FOLLOW

I refer to the agenda for the above Meeting of the Tendering Committee which was issued on 14 February 2019 and now enclose copies of the undernoted reports which were not available for issue at that time.

Yours faithfully

**JOYCE WHITE**

Chief Executive

Note referred to:-

- |          |   |               |
|----------|---|---------------|
| <b>5</b> | <b>CONTRACT AUTHORISATION REPORT: DIRECT AWARD<br/>FOR RESIDENTIAL HOUSING SUPPORT SERVICES – BLUE<br/>TRIANGLE (GLASGOW) HOUSING ASSOCIATION LTD</b> | <b>9 – 12</b> |
|----------|---|---------------|

Submit report by the Strategic Lead - Resources seeking approval to authorise the Strategic Lead - Regulatory to conclude the award of the contract for Residential Housing Support Services.

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**6      CONTRACT AUTHORISATION REPORT: DIRECT AWARD      13 – 16**  
**FOR RESIDENTIAL HOUSING SUPPORT SERVICES – ACTION**  
**FOR CHILDREN SERVICES LTD**

Submit report by the Strategic Lead - Resources seeking approval to authorise the Strategic Lead - Regulatory to conclude the award of the contract for Residential Housing Support Services.

**7      CONTRACT AUTHORISATION REPORT: TREATMENT OF      17 – 21**  
**ORGANIC WASTE**

Submit report by the Strategic Lead - Resources seeking approval to authorise the Strategic Lead - Regulatory to conclude the award of the contracts for the Treatment of Organic Waste: Lot 1 - Food; Lot 2 - Garden; and Lot 3 - Co-mingled Waste.

**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: 20 February 2019

**Report by Strategic Lead – Resources**

**Tendering Committee: 27<sup>th</sup> February 2019**

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**Subject: Contract Authorisation Report – Direct Award for Residential Housing Support Services**

**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 contract for Residential Housing Support Services.

**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 Direct Award of the contract for Residential Housing Support Services to Blue Triangle (Glasgow) Housing Association Ltd;
- b) Note that the contract shall be for a period of 7 months, starting on 1<sup>st</sup> April 2019 and at a value of £222,934 ex VAT; and
- c) Note the process in place to determine the procurement route to market.

**3. Background**

- 3.1** The requirement is for the provision of quality Residential Housing Support Services (RHSS) for vulnerable single homeless people within the West Dunbartonshire area to assist them to move onto independent living. The provision of RHSS is in accordance with the Council's objectives for Homelessness Prevention and Temporary Accommodation Strategy (2017-2020).
- 3.2** The budget for Residential Housing Support Services was approved at the Housing and Communities Committee on 7th February 2018. This procurement exercise has been conducted in accordance with the Council's Standing Orders and Financial Regulations and the Public Contracts (Scotland) Regulations 2016 for Care and Support Services, following the 'Light Touch Regime' (LTR) for Care and Support requirements within EU procurement rules. These regulations permit a Direct Award by negotiation including a staged approach where the approach is laid down in the relevant procurement documents and set out how it intends to move towards competition in the future. The Contract Strategy was approved by the Business Partner – Strategic Procurement (People) on 28th November 2018.

#### 4. Main Issues

- 4.1** The Direct Award documentation was published on the Public Contracts Scotland advertising portal on 30<sup>th</sup> November 2018. The invited provider submitted a response by the deadline of 12 noon on 17<sup>th</sup> December 2018.
- 4.2** Care and support services can have a significant impact on the quality of life and health of people who use the services as well as their carers. Consequently, services are becoming increasingly personalised to better meet people's needs which, in turn, has implications for how support is planned and purchased. This Direct Award will enable a contract and specification review exercise to be conducted including; potential competitive market opportunities for future service delivery and to determine the preferred procurement option.
- 4.3** The invited Direct Award provider submission was evaluated by representatives from Housing and Employability, Corporate Procurement Unit (CPU) and Finance against pre-determined selection criteria forming part of the published Direct Award documents which assessed competence, experience and capacity. The invited Direct Award provider submission passed the selection criteria.
- 4.4** The invited Direct Award provider submission was measured against a Quality ratio criteria of 100%:

	Weighting	Blue Triangle (Glasgow) Housing Association Ltd
<b>Quality (100%)</b>		
Service Delivery	55%	27.5%
Staff	20%	13.8%
Sustainability	10%	5%
Business Continuity	15%	7.5%
Social Benefits	-	-
Fair Work Practices	-	-
Additional Info	-	-
<b>Total Score %:</b>	<b>100%</b>	<b>53.8%</b>

- 4.5** The Care Inspectorate Grades for the performance of Blue Triangle (Glasgow) are very good. Conversely, the score suggests that the Blue Triangle (Glasgow) requires guidance and support to answer questions succinctly and this will be fed-back to the provider at the mobilisation meeting.
- 4.6** It is recommended that the contract is awarded to Blue Triangle (Glasgow) Housing Association Ltd, Third Floor, 100 Berkeley Street, Glasgow. The contract shall be for a period of 7 months at a value of £222,934 ex VAT.

- 4.7** Blue Triangle (Glasgow) Housing Association Ltd has committed to follow Fair Working Practices as below and will pay the Scottish Living Wage for all staff.
- 4.8** Blue Triangle (Glasgow) Housing Association Ltd have committed to delivery of the following social benefits as a result of delivery of this contract:
- One placement per year for Clydebank College student studying an HNC in Social Care;
  - Work experience placements and opportunities for local schools; and
  - Support to local schools in delivering community homelessness awareness.

## **5. People Implications**

- 5.1** There are no people implications.

## **6. Financial and Procurement Implications**

- 6.1** Financial costs in respect of this Residential Housing Support Service will be met from the approved Revenue budgets of Housing and Communities.
- 6.2** This procurement exercise was conducted in accordance with the agreed contract strategy produced by the CPU in close consultation with Housing and Employability officers and the provisions of Standing Orders, the Financial Regulations and relevant procurement legislation.

## **7. Risk Analysis**

- 7.1** The successful provider has no known links to Serious and Organised Crime which would have significant political and reputational ramifications for the Council.
- 7.2** 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.

## **8. Equalities Impact Assessment (EIA)**

- 8.1** An equalities screening identified that existing provision of residential housing support is largely housed in properties which are not accessible, provision is limited to single service users and some provision available only to those aged up to 21 years. Other provision is available to those over 21 years which offers similar support services. The Council also has a large pool of temporary accommodation which other homeless applicants have access to. Finally, the project does not provide accommodation for couples, however couples can be accommodated within the Council's dispersed temporary accommodation.

## **9. Consultation**

- 9.1** Finance, Legal and Housing and Employability have been consulted during every stage of this process.

## 10. Strategic Assessment

**10.1** This Direct Award to safeguard existing provision and commitment to move to a full tender process contributes to the following strategic priorities:

- A Strong local economy and improved employment opportunities; and
- Supported individuals, families and carers living independently and with dignity.

**Name:** Stephen West

**Designation:** Strategic Lead - Resources

**Date:**

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**Person to Contact:**

Suzanne Stenhouse Callaghan  
Procurement Officer  
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01389 776845  
[suzanne.callaghan@west-dunbarton.gov.uk](mailto:suzanne.callaghan@west-dunbarton.gov.uk)

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**Appendices:**

No additional appendices.

**Background Papers:**

The Contract Strategy  
EIA Screening

**Wards Affected:**

All.

**Tendering Committee: 27<sup>th</sup> February 2019**

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**Subject: Contract Authorisation Report – Direct Award for Residential Housing Support Services**

**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 contract for Residential Housing Support Services.

**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 Direct Award of the contract for Residential Housing Support Services to Action for Children Services Ltd;
  - b) Note that the contract shall be for a period of 7 months, starting on 1<sup>st</sup> April 2019 and at a value of £91,350 ex VAT; and
  - c) Note the process in place to determine the procurement route to market.

**3. Background**

- 3.1** The requirement is for the provision of quality Residential Housing Support Services (RHSS) for vulnerable single homeless people within the West Dunbartonshire area to assist them to move onto independent living. The provision of RHSS is in accordance with the Councils objectives for Homelessness Prevention and Temporary Accommodation Strategy (2017-2020).
- 3.2** The budget for Residential Housing Support Services was approved at the Housing and Communities Committee on 7<sup>th</sup> February 2018. This procurement exercise has been conducted in accordance with the Council's Standing Orders and Financial Regulations and the Public Contracts (Scotland) Regulations 2016 for Care and Support Services, following the 'Light Touch Regime' (LTR) for Care and Support requirements within EU procurement rules. These regulations permit a Direct Award by negotiation including a staged approach where the approach is laid down in the relevant procurement documents and set out how it intends to move towards competition in the future. The Contract Strategy was approved by the Business Partner – Strategic Procurement (People) on 28th November 2018.

#### 4. Main Issues

- 4.1** The Direct Award documentation was published on the Public Contracts Scotland advertising portal on 7<sup>th</sup> December 2018. The invited provider submitted a response by the deadline of 12 noon on 7<sup>th</sup> January 2019.
- 4.2** Care and support services can have a significant impact on the quality of life and health of people who use the services as well as their carers. Consequently, services are becoming increasingly personalised to better meet people's needs which, in turn, has implications for how support is planned and purchased. This Direct Award will enable a contract review and specification review exercise to be conducted including; potential competitive market opportunities for future service delivery and to determine the preferred procurement option.
- 4.3** The invited Direct Award provider submission was evaluated by representatives from Housing and Employability, Corporate Procurement Unit (CPU) and Finance against pre-determined selection criteria forming part of the published Direct Award documents which assessed competence, experience and capacity. The invited Direct Award provider submission passed the selection criteria.
- 4.4** The invited Direct Award provider submission was measured against a Quality ratio criteria of 100%:

	Weighting	Action for Children Services Ltd
<b>Quality (100%)</b>		
Service Delivery	55%	41.3%
Staff	20%	16.3%
Sustainability	10%	7.5%
Business Continuity	15%	11.3%
Social Benefits	-	-
Fair Work Practices	-	-
Additional Info	-	-
<b>Total Score %:</b>	<b>100%</b>	<b>76.3%</b>

- 4.5** The Care Inspectorate Grades for the performance of Action for Children Services Ltd are very good. Conversely, the score suggests that the Action for Children Services requires guidance and support to answer questions succinctly and this will be fed-back to the provider at the mobilisation meeting.
- 4.6** It is recommended that the contract is awarded to Action for Children Services Ltd, The Boulevard, Ascot Road, Watford, Hertfordshire. The contract shall be for a period of 7 months at a value of £91,350 ex VAT.
- 4.7** Action for Children Services Ltd has committed to follow Fair Working Practices as below:
- Action for Children aims to pay all staff on the contract the Scottish Living Wage. All staff are currently paid above the UK Living Wage.



**4.8** Action for Children Services Ltd have committed to delivery of the following social benefits as a result of delivery of this contract:

- Work experience placements and opportunities for local schools;
- Support to local schools in delivering community homelessness awareness; and
- 1 placement for college student.

## **5. People Implications**

**5.1** There are no people implications.

## **6. Financial and Procurement Implications**

**6.1** Financial costs in respect of this Residential Housing Support Service will be met from the approved Revenue budgets of Housing and Communities.

**6.2** This procurement exercise was conducted in accordance with the agreed contract strategy produced by the CPU in close consultation with Housing and Employability officers and the provisions of Standing Orders, the Financial Regulations and relevant procurement legislation.

## **7. Risk Analysis**

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

**7.2** 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.

## **8. Equalities Impact Assessment (EIA)**

**8.1** An equalities screening identified that existing provision of residential housing support is largely housed in properties which are not accessible, provision is limited to single service users and some provision available only to those aged up to 21 years. Other provision is available to those over 21 years which offers similar support services. The Council also has a large pool of temporary accommodation which other homeless applicants have access to. Finally, the project does not provide accommodation for couples, however couples can be accommodated within the Council's dispersed temporary accommodation.

## **9. Consultation**

**9.1** Finance, Legal and Housing and Employability colleagues have been consulted during every stage of this process.

## 10. Strategic Assessment

**10.1** This Direct Award to safeguard existing provision and commitment to move to a full tender process contributes to the following strategic priorities:

- A Strong local economy and improved employment opportunities; and
- Supported individuals, families and carers living independently and with dignity.

**Name:** Stephen West

**Designation:** Strategic Lead - Resources

**Date:**

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**Person to Contact:**

Suzanne Stenhouse Callaghan  
Procurement Officer  
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[Joanne.sutherland@west-dunbarton.gov.uk](mailto:Joanne.sutherland@west-dunbarton.gov.uk)

**Appendices:**

No additional appendices.

**Background Papers:**

The Contract Strategy  
EIA Screening

**Wards Affected:**

All.

**WEST DUNBARTONSHIRE COUNCIL**

**Report by Strategic Lead – Resources**

**Tendering Committee: 27 February 2019**

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**Subject: Contract Authorisation Report – Treatment of Organic Waste**

**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 Treatment of Organic Waste: Lot 1 - Food, Lot 2 - Garden and Lot 3 - Co-mingled Waste.

**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 direct award of three contracts under the Scotland Excel Framework Agreement (FA) (08-16) for the Treatment of Organic Waste:
- Lot 1 - Food Waste to Barr Environmental Limited;
  - Lot 2 - Garden Waste to Barr Environmental Limited; and
  - Lot 3 - Co-mingled Waste to Barr Environmental Limited
- b) Note that each contract shall be for a period of four years. The annual estimated value of Lot 1 - Food Waste is £24,000; Lot 2 - Garden Waste is £25,850 and of Lot 3 - Co-mingled Waste is £200,025. The overall estimated value of the contracts over the four year period, will be £999,500 (excluding VAT).

**3. Background**

- 3.1** The budget for the Treatment of Organic Waste / Disposal is part of the waste disposal budget agreed by Council annually as part of the budget setting process.

- 3.2** The current contracts are due to end on 27 February 2019. The incumbent contractor, Barr Environmental Limited, has agreed to maintain service provision at the current rates to prevent the waste spend going out of contract. The new contracts require to be in place for 28 February 2019.
- 3.3** From January 2021, there is a ban on biodegradable municipal waste going to landfill. The Council requires a competent contractor(s) to provide a reception facility and allow for the treatment process of organic waste for the three waste streams to comply with the Waste (Scotland) Regulations 2012 and to meet Government targets for recycling.
- 3.4** Currently, the three waste streams are collected separately to recycle in a different manner by the Council's incumbent supplier, Barr Environmental Limited. Lot 1 - Food Waste is collected from the high rise and tenement properties, Lot 2 - Garden Waste is collected at the civic amenities sites and Lot 3 - Co-mingled Waste is collected at kerbside. The below tables show the trend analysis for the three waste streams over the past 3 years:

Year	Cost per Tonne	Tonnage	Cost
<b>Trend analysis for Food Waste (Lot 1)</b>			
2015-16	£48.00	449.94	£21,597.12
2016-17	£48.00	515.74	£24,755.52
2017-18	£48.00	474.48	£22,775.04
<b>Trend analysis for Green Garden Waste (Lot 2)</b>			
2015-16	£25.85	1114.1	£35,035.00
2016-17	£25.85	1110.8	£28,714.18
2017-18	£25.85	906.4	£23,448.97
<b>Trend analysis for Co-mingled Waste (Lot 3)</b>			
2015-16	£44.45	4742.98	£210,825.46
2016-17	£44.45	4630.04	£205,805.28
2017-18	£44.45	4484.74	£199,346.69

- 3.5** 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 Services. A Contract Strategy document was also approved by the Business Partner for Strategic Procurement (Place) on 11 January 2019.

#### 4. Main Issues

- 4.1 There are 11 suppliers on the Scotland Excel FA (08-16) for the Treatment of Organic Waste. The Council has considered that a reasonable travel time and mileage to deliver waste should be less than 15 miles from Milton, Dumbarton G82 2UA. This resulted in two possible contractors who could take the Council's waste:

	<b>Barr Environmental Limited</b>	<b>William Tracey Limited</b>
Mileage Distance (Single Journey)	5.1 miles	13.4 miles
<b>Lot 1 - Food Waste</b>		
National Gate Fee per Tonne	£48.00	£70.00
Contaminated Fee per Tonne	£71.00	£120.00
<b>Lot 2 - Garden Waste</b>		
National Gate Fee per Tonne	£25.85	£55.00
Contaminated Fee per Tonne	£46.50	£120.00
<b>Lot 3 - Co-mingled Waste</b>		
National Gate Fee per Tonne	£44.45	£75.00
Contaminated Fee per Tonne	£68.00	£120.00

- 4.2 Due to the timescales for the new contracts to be in place, 28 February 2019; it is recommended that the Council progresses the Direct Award route (a contract is awarded to a supplier on a FA without further competition) to Barr Environmental Limited of Killoch, Ochiltree, Cumnock KA18 2RL for Lot 1- Food Waste, Lot 2 - Garden Waste and Lot 3 - Comingled Food. The estimated four year term value of the contracts is £999,500 ex VAT. The value of the contracts has been approved by all participating Services. The duration of the contracts shall be from 28 February 2019 for a 4 year period. This will guarantee budget security, continuity of service provision and allow Barr Environmental Limited to invest further at the Auchincarroch facility securing local employment,
- 4.3 As well as the Best Value route for this Council, contracting with Barr Environmental Limited would minimise the cost of disruptions and change. Including all of these wastes streams together will improve efficiencies with regards to data flow information, consolidated invoicing and removes the need for the Council to procure and manage multiple suppliers.
- 4.4 Barr Environmental Limited has committed to follow Fair Working Practices by paying the Scottish Living Wage and is also accredited to the Scottish Business

Pledge. Barr Environmental Limited's commitment to the Scottish Business Pledge was formally recognised in October 2016 by the Cabinet Secretary for the Economy, Jobs and Fair Work, Keith Brown MSP.

**4.5 Barr Environmental Limited have committed to delivery of the following range of social benefits:**

- Employment, Skills and Training: Will support Communication / Waste Awareness initiatives within schools, talks at events and arrangement of site visits;
- Sustain 1 full time equivalent and 1 indirect member of staff;
- 80% of their employees are living within the Council's area; and
- Support a "Compost to Go" scheme where they have created a clearly branded and designated area within their recycling facility which contains the PAS100 compost they generate from the treatment of garden waste. This material is made available to the public for free.

**5. People Implications**

**5.1** There are no people implications.

**6. Financial and Procurement Implications**

**6.1** Financial costs in respect of these contracts will be met from the approved revenue budgets of Regeneration, Waste Services. The budget for 2019 / 2020 is £285,000 for the 3 Lots, therefore over the 4 years the total current budget is £1,140,000. Using the 2017/2018 tonnage; the estimated value for the 3 Lots over 4 years, is £999,500. This is therefore expected to generate an annual saving of £35,000.

**6.2** This procurement exercise was conducted in accordance with the agreed Contract Strategy produced by the Corporate Procurement Unit in close consultation with Regeneration, Waste Service officers and the provisions of Standing Orders, the Financial Regulations and relevant procurement legislation.

**7. Risk Analysis**

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

**7.2** Should the Tendering Committee decide not to proceed as recommended then this will delay the projects, may have financial implications and may result in legal challenge.

## **8. Equalities Impact Assessment (EIA)**

**8.1** A screening has been carried out and it determined that no EIA was required.

## **9. Consultation**

**9.1** West Dunbartonshire's Waste Services have been consulted regarding the contents of this report.

## **10. Strategic Assessment**

**10.1** The treatment of organic waste across the Council will contribute to the delivery of the Council's strategic priorities by supporting the provision of efficient and effective frontline services that improve the everyday lives of residents.

**Name:** Stephen West

**Designation:** Strategic Lead - Resources

**Date:**

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**Person to Contact:** Victoria Wilson - Assistant Procurement Officer, CPU,  
Council Offices, 16 Church Street, Dumbarton.  
Telephone: 01389 737857

Alex Grace – Senior Procurement Officer  
Telephone: 01389 737828

Rodney Thornton – Fleet & Waste Services Manager  
Telephone: 01389 738731

John Sartain – Waste Coordinator  
Telephone: 01389 738736

**Appendix:** None

**Background Papers:** 1. The Contract Strategy; and  
2. EIA Screening

**Wards Affected:** All