

Agenda



Tendering Committee

Date: Wednesday, 18 September 2019

Time: 09:30

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

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: 5 September 2019

TENDERING COMMITTEE
WEDNESDAY, 18 SEPTEMBER 2019

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 – 8

Submit, for approval as a correct record, the Minutes of Meeting of the Tendering Committee held on 28 August 2019.

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: PROVISION OF ENERGY MANAGEMENT BUREAU SERVICES 9 – 13

Submit report by the Strategic Director of Transformation and Public Service Reform seeking approval to authorise the Strategic Lead – Regulatory to conclude the award of the contract for the Provision of Energy Management Bureau Services.

6 CONTRACT AUTHORISATION REPORT: ROT ERADICATION AND ASSOCIATED REINSTATEMENT WORKS AT WEST DUNBARTONSHIRE COUNCIL DOMESTIC AND NON-DOMESTIC PROPERTIES 15 – 18

Submit report by the Strategic Director of Transformation and Public Service Reform seeking approval to authorise the Strategic Lead – Regulatory to conclude the award of the contract for Rot Eradication and Associated Reinstatement Works at West Dunbartonshire Council Domestic and Non-Domestic Properties.

7 CONTRACT AUTHORISATION REPORT: PROVISION OF To Follow
RESIDENTIAL CARE, RESPITE AND DAY EDUCATION FOR
CHILDREN AND YOUNG PEOPLE

Submit report by the Strategic Director of Transformation and Public Service Reform seeking approval to authorise the Strategic Lead – Regulatory to conclude direct award contracts for Provision of Residential Care, Respite and Day Education for Children and Young People.

8 CONTRACT AUTHORISATION REPORT: PROVISION OF To Follow
BUSES AND ASSOCIATED SERVICES

Submit report by the Strategic Director of Transformation and Public Service Reform seeking approval to authorise the Strategic Lead – Regulatory to conclude the award of the contracts for the Provision of Buses and Associated Services.

TENDERING COMMITTEE

At a Meeting of the Tendering Committee held in the Clyde Meeting Room, Clydebank Town Hall, Dumbarton Road, Clydebank on Wednesday, 28 August 2019 at 9.30 a.m.

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

Attending: Angela Wilson, Strategic Director – Transformation and Public Service Reform; Annabel Travers, Procurement Manager; David Aitken and Joyce Campbell, Business Partners - Strategic Procurement; Christina Fraser, Rebecca Hall and Jenna McCrum, Senior Procurement Officers; Aileen Toland, Procurement Officer; and Scott Kelly, Committee Officer.

Apologies: Apologies for absence were intimated on behalf of Councillors Gail Casey and Jim Finn.

Councillor Ian Dickson in the Chair

DECLARATION OF INTEREST

Councillor McNair declared an interest in the items under the headings 'Contract Authorisation Report: Replacement of Bridge Deck and Associated Works for A811 Lomond Bridge, Balloch' and 'Contract Authorisation Report: Residential Placements and Respite for Adults with Learning Disabilities, Mental Health and Physical Disabilities (Under 65)', being the Chair of both the Infrastructure, Regeneration and Economic Development Committee and the Health & Social Care Partnership Board Audit Committee.

MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of the Tendering Committee held on 26 June 2019 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: WATER QUALITY MANAGEMENT INCLUDING LEGIONELLA

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 Water Quality Management Including Legionella.

After discussion and having heard the Procurement Officer and other 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 West Dunbartonshire Council, the award of the contract for Water Quality Management Including Legionella to Envirocure Limited; and
- (2) to note that the contract shall be for a period of three years with the option to extend for a further two up to 12 month periods, and that the three-year value of the contract was £231,540, excluding VAT, with the five-year value being £385,900, excluding VAT, dependent on works requested.

CONTRACT AUTHORISATION REPORT: REPLACEMENT OF BRIDGE DECK AND ASSOCIATED WORKS FOR A811 LOMOND BRIDGE, BALLOCH

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 Replacement of Bridge Deck and Associated Works for the A811 Lomond Bridge, Balloch.

After discussion and having heard Ms McCrum, Senior Procurement Officer, and other relevant officers in further explanation of the report and in answer to Members' questions, the Committee agreed to authorise the Strategic Lead – Regulatory, to conclude on behalf of the Council, the award of the (call-off) contract under the Scape Procure Scotland (Scape) Framework Agreement (FA) for Replacement of Bridge Deck and Associated Works for the A811 Lomond Bridge, Balloch to Balfour Beatty Civil Engineering Ltd, it being noted that the contract shall be for a period of six months and at a value of £3.6m (estimated), excluding VAT.

Note: Councillor Docherty left the meeting at this point.

CONTRACT AUTHORISATION REPORT: DESIGN AND BUILD GRUGGIES BURN FLOOD PREVENTION SCHEME

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 professional services and construction contracts for the Gruggies Burn Flood Prevention Scheme.

After discussion and having heard Ms Hall, Senior Procurement Officer, and other relevant officers in further explanation of the report and in answer to Members' questions, the Committee agreed to authorise the Strategic Lead Regulatory to conclude the direct award of a (call-off) contract under the Scape Procure Scotland Limited (Scape) Framework Agreement (FA) for the professional services contract and construction contract for Gruggies Burn Flood Prevention Scheme to Balfour Beatty Civil Engineering Ltd, subject to the final construction costs from Balfour Beatty Civil Engineering Ltd being within the agreed budget of £15m, the programme meeting the Council's requirements and performance under the professional services contract being deemed satisfactory.

CONTRACT AUTHORISATION REPORT: RESIDENTIAL PLACEMENTS AND RESPITE FOR ADULTS WITH LEARNING DISABILITIES, MENTAL HEALTH AND PHYSICAL DISABILITIES (UNDER 65)

A report was submitted by the Strategic Director – Transformation and Public Service Reform seeking approval to authorise the Strategic Lead – Regulatory to conclude direct award contracts for Residential Placements and Respite for Adults with Learning Disabilities, Mental Health and Physical Disabilities (under 65).

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

- (1) to authorise the Strategic Lead – Regulatory to conclude the direct award contracts on behalf of West Dunbartonshire Health & Social Care Partnership (WD HSCP), to the providers detailed within the Appendix to the Minutes, for Residential Placements and Respite for Adults with Learning Disabilities, Mental Health and Physical Disabilities (under 65);
- (2) that Ms Fraser, Senior Procurement Officer, would issue a clarification to the Members of the Committee on the number of direct award contracts which were listed in the Appendix; and
- (3) to note that the estimated value would be £4,906,407, excluding VAT, over two years, that the values may be subject to change as care needs change over the contract periods and that the commencement dates of the contracts would be no later than 9 September 2019.

The meeting closed at 10.08 a.m.

Appendix

Providers	Total Expenditure (per annum.)	Care Placement
Residential Placements for People with Learning Disabilities		
The Huntercombe Group (Kilbirnie)	£249,928.68	1
Garvald West Linton Ltd	£49,058.88	1
Hansal Alliance (Ayrshire)	£51,168.00	1
Sub Total	£350,156.56	
Residential Placements and Respite for People with Mental Health		
Ashton Grange Care Home	£37,174.80	1
Beechwood Care Home	£51,627.16	1
Castle View Nursing Home	£44,447.00	1
Craigielea Care Centre	£52,132.60	1
Hill View	£25,799.80	1
Hillend View Care Home	£84,935.76	2
Hillside View	£13,364.00	1
Millbank	£43,108.00	1
Rosshhead House	£38,332.84	1
The Oaks	£521,059.76	8
Wallacetown Gardens Care Home	£83,412.68	1
Whins of Milton	£34,075.60	1
Sub Total	£1,029,470.00	
Residential Placements for People with Physical Disability		
Applecross Care Home	£47,508.76	1
Castle View	£241,398.04	6
Clyde Court	£63,905.40	2
David Cargill House	£32,123.00	1
Erskine Bishopton	£10,953.80	1
Florence House	£145,810.60	3
Greenfield Park	£54,942.68	1
Hillend View	£31,967.00	1
Hillside View	£31,967.00	1
Hillview	£52,124.80	2
Littleinch Care Home	£69,986.80	2
Maclehose Care Home	£45,682.00	1
Murdostoun Nursing Home	£83,163.60	1
Oakbridge	£25,116.00	1
William Simpson	£37,952.20	1
Sub Total	£974,601.68	
Residential Respite for People with Physical Disability		
David Cargill House	£32,123.00	1
Leuchie House	£19,714.29	2
Oak Bridge Care Home	£5,517.84	1
Wyndford Locks	£19,312.44	1
Littleinch	£2,946.00	1
Quarriers	£6,386.56	1
Upper Springlands	£12,976.32	1
Sub Total	£98,976.45	
Total	£2,453,203.69	

WEST DUNBARTONSHIRE COUNCIL**Report by Strategic Director - Transformation & Public Service Reform****Tendering Committee: 18 September 2019**

Subject: Contract Authorisation Report - Provision of Energy Management Bureau 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 the Provision of Energy Management Bureau 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 award of the contract for the Provision of Energy Management Bureau Services to Systemslink 2000 Ltd.
- b) Note that the contract shall be for a period of three years from 01 October 2019 with an option to extend for a further two x 12 months until 30 September 2024. The financial saving in respect of this contract is £14,575 per annum ex VAT.

3. Background

- 3.1** The Council has a requirement for the Provision of Energy Management Bureau Services.

- 3.2** The purpose of the service is to ensure that the Council and West Dunbartonshire Leisure Trust (WDLT) are invoiced correctly for utilities consumption (including energy and water) as well as assisting the Council in compliance with the UK Government's Streamlined Energy & Carbon Reporting (SECR) requirements. In addition to manage assets better in order to reduce energy consumption / spend and carbon emissions.

- 3.3** The provider will deliver the service by collecting energy meter data from the Council and WDLT operational properties and providing a bill validation service to check that utility invoices are billed at the correct contract rate and contain no errors. Where errors are found, the provider will rectify with the relevant energy supplier and the Council will be refunded of any monies due. The provider will scan and store all utility invoices relating to gas, electricity, water, biomass, diesel, and gas oil, on a database accessible via a website hosted by

the provider. The Council will have access to the data and a number of reporting features both for finance and energy management purposes. The provider will also calculate carbon dioxide (CO₂) and greenhouse gas emissions based on consumption and contract data, along with specific reporting, in order to assist the Council with compliance to SECR requirements.

- 3.4** Although the Council currently receives this service, the contract is now being subject to a competitive tendering process in order to meet the requirements of the Council's Standing Orders, Financial Regulations and demonstrate best value for the Council.
- 3.5** The budget for the Provision of Energy Management Bureau Services was approved at the Infrastructure, Regeneration & Economic Development (IRED) Committee on 14 December 2016. Organisational changes within the Energy & Compliance section resulted in a delay in conducting this procurement exercise. This procurement exercise has been conducted in accordance with the *Public Contracts Regulations 2015* for Services. A Contract Strategy document was also approved by the Procurement Manager on 31 May 2019.
- 3.6** The UK Government's Crown Commercial Services (CCS) has a Framework Agreement (FA) for Utility Management Software, Metering and Ancillary Services, which covers this requirement. A mini competition conducted under this FA was published on the Public Contracts Scotland – Tender (PCS-Tender) portal. Three of the seven FA providers invited to the mini competition submitted a response by the deadline of 12 Noon on 4 July 2019.

4. Main Issues

- 4.1** The three tender submissions were evaluated by representatives from Corporate Asset Management and the Corporate Procurement Unit 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 taken forward to be 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 provider, are as follows:

	Weighting	Optima Energy Systems	Systemslink 2000 Ltd.
Quality (40%)			
ICT Security	4%	4%	4%
Service Delivery & Methodology	10%	5%	10%

Project Plan & Milestones	6%	3%	6%
Experience and Methodology	6%	4.5%	6%
Risks	6%	3%	6%
Phase Out/Exit Plan	4%	2%	3%
Sustainability (Sustainable Procurement)	1%	0.5%	0.8%
Social Benefits	1%	1%	0.3%
eProcurement	1%	0.3%	0.5%
Commitment to Fair Working Practices	1%	0.3%	1%
Quality Sub-Total %:	40%	23.6%	37.6%
Price Sub Total %	60%	60%	48.4%
Total Score	100%	83.6%	86%

4.3 It is recommended that the contract is awarded to Systemslink 2000 Ltd, of Preston, England, who has provided the most economically advantageous tender. The duration of the contract shall be for a period of three years from 01 October 2019 with an option to extend for a further two x 12 months until 30 September 2024. Please note: providers had to state a single price therefore it was considered to be commercially sensitive thus only the price percentage has been shown in the table above.

4.4 Systemslink 2000 Ltd is not an accredited Living Wage Employer; however pay the Scottish Living Wage to all employees.

4.5 Systemslink 2000 Ltd have committed to delivery of the following social benefits as a result of delivery of this contract:

- A £200 annual donation which the Council can use across community schemes. At contract award, a discussion will be had with the provider to negotiate a higher amount.

5. Options Appraisal

5.1 In 2018, the service area carried out a desktop exercise to compare the cost of internally resourcing compared to externally procuring.

5.2 The service area compared the indicative cost to hire a full time member of staff, build / procure a specialist database to capture and manage the tariffs

and bills, and the specialist skills and knowledge required to bill validate and resolve complex queries with utility providers.

- 5.3** The service area deemed that it was more cost effective to tender for this service as it could be provided for less money than to resource internally, and contracting provides access to a larger resource pool of specialist knowledge and infrastructure to manage, i.e. database and processes.

6. People Implications

- 6.1** There are no people implications.

7. Financial and Procurement Implications

- 7.1** The financial saving in respect of this contract is £14,575 per annum against the allocated budget. The costs will be met from the approved Revenue budgets of Corporate Asset Management.
- 7.2** This contract will mitigate costs for spend on utilities, by resolving billing errors such as duplicate billing and overcharging, to ensure that the Council pays the correct rates for its utilities. The service has previously delivered the following mitigated costs:

Year	Costs mitigated	Cumulative costs mitigated
Apr 2014 - Mar 2015	£42,441	£42,441
Apr 2015 - Mar 2016	£54,989	£97,430
Apr 2016 - Mar 2017	£112,387	£209,817
Apr 2017 - Mar 2018	£67,000	£276,817
Apr 2018 - Dec 2018 (9 months)	£155,000	£431,817

- 7.3** The financial costs for the service will remain stable for an initial period of two years. After this, there will be formal price review periods (six monthly) whereby any changes to the cost of the service will be required to be justified / evidenced by the contracted provider and agreed by the Council.
- 7.4** This procurement exercise was conducted in accordance with the agreed contract strategy produced by the Corporate Procurement Unit in consultation with Corporate Asset Management officers and the provisions of Contract Standing Orders, the Financial Regulations and relevant procurement legislation.

8. Risk Analysis

- 8.1** The successful provider has no known links to serious and organised crime which would have significant political and reputational ramifications for the Council.

9. Equalities Impact Assessment (EIA)

- 9.1** An equalities screening was undertaken for this report to determine if there is an equalities impact. The results were there is no equalities impact.

10. Consultation

- 10.1** Corporate Asset Management, Finance and Legal Services have been consulted on the contents of the report.

11. Strategic Assessment

- 11.1** The Provision of Energy Management Bureau Services 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.

Angela Wilson

Strategic Director - Transformation & Public Service Reform

04 September 2019

Person to Contact:	Andrew Duncan - Procurement Officer, Corporate Procurement Unit, 16 Church Street, Dumbarton, G82 1QL. Telephone 01389 737425
Appendices:	None
Background Papers:	1. Contract Strategy; and 2. EIA Screening
Wards Affected:	All

WEST DUNBARTONSHIRE COUNCIL

Report by Strategic Lead – Transformation and Public Service Reform

Tendering Committee: 18 September 2019

Subject: Contract Authorisation Report – Rot Eradication and Associated Reinstatement Works at West Dunbartonshire Council Domestic and Non-Domestic Properties

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 Rot Eradication and Associated Reinstatement Works at West Dunbartonshire Council Domestic and Non-Domestic Properties.

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 Rot Eradication and Associated Reinstatement Works at West Dunbartonshire Council Domestic and Non-Domestic Properties to City Gate Construction (Scotland) Limited; and
- b) agree that the contract shall be for a period of three years with the option to extend for a further two periods, each of which could be up to 12 months. The three-year value of the contract is up to £596,251 ex VAT with the five-year value of the contract being up to £993,751 ex VAT, dependent on works requested.

3. Background

- 3.1** The purpose of the tender was to appoint a suitably experienced and qualified contractor to provide a rot eradication and dampness control service to the Council's housing and non-housing stock including works for void properties within the agreed budget.
- 3.2** Further to the report to Housing and Communities Committee on 1st May 2019, the report stated a maximum duration of two years with the option to extend for a further two up to 12 month periods. However it is intended that the contract is awarded for three years with the option to extend for up to a further two periods, each of which could be up to 12 months. That is the basis on which tenders were sought and evaluated.

- 3.3** The budget of £250,000 per annum for Rot Eradication and Associated Reinstatement Works at West Dunbartonshire Council Domestic and Non-Domestic Properties was approved at the Housing and Communities Committee on 1st May 2019.

4. Main Issues

- 4.1** 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 Works. A Contract Strategy document was also approved by the Business Partner -Strategic Procurement (Place) on 20 May 2019.
- 4.2** A contract notice was published on the Public Contracts Scotland advertising portal on 25 June 2019. Six contractors expressed an interest, with three contractors submitting a response by the deadline for the submissions of 12 noon on 26 July 2019.
- 4.3** The three tender submissions were evaluated by representatives from Building Services, 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. Three tender submissions passed the selection criteria.
- 4.4** Three tender submissions were evaluated against a set of award criteria which was based on a Price / Quality ratio of 70% / 30%. The scores relative to the award criteria of each tenderer, are as follows:

	Weighting	City Gate Construction (Scotland) Ltd	Peter Cox Ltd	Richardson & Starling
Quality (30%)				
Service Delivery / Methodology	(12%)	8.3%	3%	8.3%
Risk Management	(6%)	6.0%	3%	3%
Contract Monitoring & Management	(6%)	5.1%	1.5%	3.9%
Social Benefits in Procurement	(5.7%)	5.4%	5.6%	5.4%
e-Procurement	(0.3%)	0.2%	0.2%	0.2%
Quality Sub-Total %:	(30%)	25.0%	13.3%	20.8%
Price (70%)				
Price Sub Total £	-	£198,750	£250,291	£257,721
Price Sub Total %	(70%)	70%	55.6%	54.0%
Total Score	100%	95.0%	68.9%	74.8%

- 4.5** It is recommended that the contract is awarded to City Gate Construction (Scotland) Limited, of Paisley, who has provided the most economically advantageous tender. The contract shall be for a period of three years at a value of up to £596,250, ex VAT, with the option to extend for a further two periods, each of which could be up to 12 months. The value of the contract is below the value approved by the Housing and Communities Committee.
- 4.6** City Gate Construction (Scotland) Limited has committed to follow Fair Working Practices and exceeds the Scottish Living Wage across all staff contracts and have committed to delivery of the following social benefits as a direct result of delivery of this contract:
- Recruit a member of staff from within the West Dunbartonshire geographical area;
 - Two new registered apprenticeships to residents of the West Dunbartonshire Geographical area;
 - Donation of goods to local food-share scheme; and
 - Measured and committed support to fair working practices for workers (including agency or sub-contractor workers) engaged in the delivery of this contract.

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 HRA Revenue budget. As advised to Housing and Communities Committee on 1st May 2019, the budget held for this service requirement is £250,000 per annum. The winning bid will therefore generate a saving of £51,250 per annum, dependent on works requested.
- 6.2** This procurement exercise was conducted with the agreed Contract Strategy produced by the Corporate Procurement Unit in close consultation with Building Services officers and the provisions of Contract Standing Orders, the Financial Regulations and relevant procurement legislation.

7. Risk Analysis

- 7.1** The successful contractor 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 was undertaken for this reports to determine if there is an equalities impact. The results were that there is no equalities impact.

9. Consultation

- 9.1** Building Services, Finance and Legal Services have been consulted regarding the contents of this report.

10. Strategic Assessment

- 10.1** The service provided will contribute to the 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 Lead – Transformation and Public Service Reform

Date: 20 August 2019

Person to Contact:

Claire McGlynn, Procurement Officer, Corporate Procurement Unit, 16 Church Street, Dumbarton, Telephone: 01389 737830, Email: claire.mcglynn@west-dunbarton.gov.uk

Martin Feeney, Building Services Manager, 57 Cochno Street, Clydebank, Telephone: 01389 738200, Email: martin.feeney@west-dunbarton.gov.uk

Appendices:

None

Background Papers:

Contract Strategy
EIA Screening
Housing and Communities Committee Meeting Minutes – 1 May 2019

Wards Affected:

All