

Agenda

Tendering Committee

Date: Wednesday, 15 February 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

*Member of the Committee with effect from 2 February 2023

All other Councillors for information

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

Date of Issue: 2 February 2023

TENDERING COMMITTEE
WEDNESDAY, 15 FEBRUARY 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 – 6

Submit, for approval as a correct record, the Minutes of Meeting of the Tendering Committee held on 25 January 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 – TREATMENT OF ORGANIC WASTE: CO-MINGLED FOOD/GARDEN WASTE 7 – 9

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 Treatment of Organic Waste – Co-mingled Food/Garden Waste.

6 CONTRACT AUTHORISATION REPORT – PROVISION OF FRESH MEATS, PROVISION OF COOKED MEATS, PROVISION OF FRESH FISH AND PROVISION OF FROZEN FOODS 11 – 14

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 four contracts for the Provision of Fresh Meats, Cooked Meats, Fresh Fish and Frozen Foods.

7	NOTE OF CONTRACT AWARD – PROVISION OF REPLACEMENT OF A WIRELESS ACCESS POINT	15 – 17
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Submit report by the Chief Officer – Supply, Distribution and Property providing an update on the contract for the Provision of Replacement of a Wireless Access Point.

8 SUPPORTED LIVING SERVICES FOR PEOPLE WITH LEARNING DIFFICULTIES **To Follow**

Submit report by the Chief Officer – Supply, Distribution and Property seeking approval to request the Chief Officer – Regulatory and Regeneration to conclude the award of contracts for Supported Living Services for People with Learning Difficulties.

TENDERING COMMITTEE

At a Meeting of the Tendering Committee held in the Council Chambers, Clydebank Town Hall, 5 Hall Street, Clydebank on Wednesday, 25 January 2023 at 9.16 a.m.

Present: Councillors James McElhill, June McKay, John Millar*,
Lawrence O'Neill and Clare Steel.

*Arrived later in the meeting.

Attending: Angela Wilson, Chief Officer – Supply, Distribution and Property;
Angus Cameron, Business Partner – Strategic Procurement;
Michelle Lynn, Assets Co-ordinator; and Scott Kelly, Committee
Officer.

Apologies: Apologies for absence were intimated on behalf of Councillors
Diane Docherty, Chris Pollock and Hazel Sorrell.

Councillor June McKay in the Chair

ADJOURNMENT

Having heard Councillor McKay, Vice Chair, the Committee agreed to adjourn for a short period of time..

The meeting reconvened at 9.30 a.m. with Councillor Millar present and in the Chair, and all Members and officers shown on the sederunt in attendance.

Councillor John Millar in the Chair

DECLARATIONS OF INTEREST

It was noted that there were no declarations of interest in the item of business on the agenda.

MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of the Tendering Committee held on 16 November 2022 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 EXTENSION REPORT – GLENCAIRN HOUSE REFURBISHMENT ARCHITECTURAL SERVICES

A report was submitted by the Chief Officer – Supply, Distribution and Property providing an update on the contract for Glencairn House Refurbishment Architectural Services.

After discussion and having heard the Business Partner – Strategic Procurement 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 contract extension for Glencairn House Refurbishment Architectural Services to cover RIBA Stages 5 to 7 to Turner & Townsend Project Management Ltd; and
- (2) to note that the value of the extended contract shall be £291,437.50 ex VAT and for an extended contract period of 26 months.

The meeting closed at 9.32 a.m.

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

Subject: Contract Authorisation Report: Treatment of Organic Waste - Co-mingled Food/Garden Waste**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 Treatment of Organic Waste - Co-mingled Food/Garden Waste.

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 Treatment of Organic Waste - Co-mingled Food/Garden Waste to Keenan (Recycling) Limited.
 - b) Note that the contract shall be for a period of two years with the option of a two x 12 month extension 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. The estimated commencement date of the contract is 28 February 2023.

3. Background

- 3.1** The Council collect Co-mingled Food/Garden Waste in a household brown bin via refuse collection vehicles and delivered to provider's processing site.
- 3.2** Waste is a valuable resource which, when treated appropriately, could significantly boost Scotland's economy and create jobs. You can use the food waste recycling collection services to dispose of anything you can't eat, or compost at home. It will be recycled into a good quality soil improver or fertiliser and can even generate electricity that can be fed back into the national grid.
- 3.3** The overall budget for the Treatment of Organic Waste - Co-mingled Food/Garden Waste has been approved as an on-going requirement at full Council as part of the annual budget setting process.
- 3.4** 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 13 January 2023.

4. Main Issues

- 4.1** Historically, the Council has used Scotland Excel (SXL) Framework Agreements (FA) to source a provider for the Treatment of Organic Waste and the Contract Strategy identified that this is the best route to market for this requirement. There is no other live FA for this requirement. There are nine providers on the SXL FA (0220) for the Treatment of Organic Waste. The Council has considered that a reasonable travel time and mileage to deliver waste should be less than 19 miles from Milton, Dumbarton G82 2UA. This resulted in one possible provider for each Lot who could take the Council's waste:

	Co-mingled Food/Garden Waste - Keenan (Recycling) Limited
Mileage Distance (Single Journey)	13.4 miles
National Gate Fee per Tonne	£65.00
Contaminated Fee per Tonne	£150.00

- 4.2** Due to the timescales for the new contracts to be in place for 28 February 2023 and to provide best value to the Council; it is recommended that the Council progresses the Direct Award route (without further competition) under the SXL FA for the Treatment of Organic Waste.
- 4.3** It is recommended that the contract is awarded to Keenan (Recycling) Limited, of Paisley. The contract shall be for a period of two years with the option of a two x 12 months extension 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.
- 4.4** Keenan (Recycling) Limited 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 Keenan (Recycling) Limited and actions to take these forward will be agreed. The minimum Social Benefits points required is 25 points.

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 General Revenue budget for Roads and Neighbourhood / Waste Services.
- 6.2** This procurement exercise was conducted in accordance with the agreed Contract Strategy produced by the Corporate Procurement Unit in consultation with Roads and Neighbourhood / Waste Services officers and the provisions of Contract Standing Orders, the Financial Regulations and Public Procurement Regulations.

7. Risk Analysis

7.1 Keenan (Recycling) Limited 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 reputational ramifications.

8. Equalities Impact Assessment (EIA)

8.1 An equalities screening was undertaken and the results confirm there are no equalities impact.

9. Consultation

9.1 Roads and Neighbourhood / Waste Services, Finance Services and Legal Services have been consulted on the contents of this report.

10. Strategic Assessment

10.1 The Treatment of Organic Waste will contribute to the delivery of the Council's strategic priorities: *"Our environment promotes a greener future"*.

Name: Angela Wilson

Designation: Chief Officer – Supply, Distribution and Property

Date: 27 January 2023

Person to Contact: Victoria Wilson, Procurement Officer, Corporate Procurement Unit, 16 Church Street, Dumbarton, 01389 737395 Victoria.Wilson@west-dunbarton.gov.uk

Appendices: None

Background Papers: Contract Strategy
EIA Screening

Wards Affected: All

WEST DUNBARTONSHIRE COUNCIL

Report by Chief Officer – Supply, Distribution and Property

Tendering Committee: 15 February 2023

Subject: Contract Authorisation Report – Provision of Fresh Meats, Provision of Cooked Meats, Provision of Fresh Fish and Provision of Frozen Foods

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 four contracts for the Provision of Fresh Meats, Cooked Meats and Fresh Fish and Frozen Foods.

2. Recommendations

- 2.1** It is recommended that the Tendering Committee authorise the Chief Officer – Regulatory and Regeneration to conclude on behalf of West Dunbartonshire Council (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 Brakes 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;
- d) The Provision of Frozen Foods utilising the SXL FA for Provision for Frozen Foods to Brake Brothers Ltd;
- e) Note that the contracts for the Provision for Fresh Meat, Provision for Cooked Meat and Provision for 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. The estimated commencement date of the contracts are 31 March 2023;
- f) Note that the contract for the Provision for Frozen Foods shall be for a period of four years with no extension at a value of £3,674.23 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 meats, cooked meats and fresh fish and frozen foods.

3.2 The overall budgets for the Provisions of Fresh Meats, Cooked Meats and Fresh Fish and Frozen Foods 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 30 January 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 The SXL FA for Provision of Fresh Meat, Cooked Meat and Fresh Fish has only one supplier per lot available with the ability to service the Council area:

- Fresh Meat – McLays Ltd;
- Cooked Meat - Brakes Brothers Ltd;
- Fresh Fish - Campbell Brothers Ltd

4.3 It is recommended that the contract for the Provision of Fresh Meats be awarded to McLays Ltd of Glasgow; the contract for the Provision of Cooked Meats be awarded to Brake Brothers Ltd of Ashford, Kent and the contract for the Provision of Fresh Fish be awarded to Campbell Brothers Ltd of Midlothian. The contracts shall be for a period of four years with no option to extend and at a value of £1,663,070 inclusive of VAT.

4.4 The SXL FA for Provision of Frozen Food has only one supplier available with the ability to service the Council area, Brakes Brothers Ltd. It is recommended that the contract for the Provision of Frozen Food be awarded to Brake Brothers Ltd of Ashford, Kent. The contract shall be for a period of four years with no option to extend and at a value of £3,674,234.17 inclusive of VAT.

4.5 Both McLays Ltd and Campbell Brothers Ltd have committed to paying all staff as a minimum the real Living Wage (£10.90 per hour) and promotes Fair Working Practices across their organisation. Brake Brothers Ltd pay the living wage to 98% of their Scottish workforce.

4.6 All suppliers have committed to delivery of social benefits as part of the Scotland Excel FA. The level of social benefit received from the FA is dependent on the level of spend with each supplier. Once the contracts are awarded the Corporate Procurement Unit will follow up with the suppliers to agree and record all community benefits to be provided through the contracts.

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 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 The successful suppliers have 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 Provision of Fresh Meats, Cooked Meats and Fresh Fish 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: 31 January 2023

Person to Contact:	Jennifer Darkins, Procurement Officer, Corporate Procurement Unit E-mail: Jennifer.darkins@west-dunbarton.gov.uk
Appendices:	N/A
Background Papers:	Contract Strategy EIA screening

Wards Affected: All Council Wards.

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

Subject: Note of Contract Award – Provision of Replacement of a Wireless Access Point**1. Purpose**

- 1.1** The purpose of this report is to provide the Tendering Committee with an update on the contract for The Provision of Replacement of a Wireless Access Point.

2. Recommendations

- 2.1** It is recommended that the Tendering Committee:
- a)** Note that the Chief Officer - Regulatory and Regeneration will conclude on behalf of West Dunbartonshire Council (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.
 - b)** Note that the contract value shall be £475,019.40 and the period is from 27 January 2023 to 27 January 2024.

3. Background

- 3.1** The Council currently operates Wireless networks in 72 locations across the Council estate, the wireless hardware in these locations is about to reach End of Life status and will no longer be supported as of August 2023 and no longer manageable as of March 2024. The devices are will therefore be running at risk as they will not receive security updates or hardware replacement in the event of failure.
- 3.2** Through the ICT Security Budget, approval has been given to the replacement of approximately 885 wireless access points across the Council estate. The approved budget of £500,000 for this requirement in 2022/23 was formally noted by the Corporate Services Committee on 23 February 2022.
- 3.3** This procurement exercise has been conducted in accordance with the Council's Standing Orders and Financial Regulations and the Public Procurement Regulations.
- 4. Main Issues**
- 4.1** The Contract Strategy determined that the SWAN VAS Framework Agreement (FA) was the best route to market.
- 4.2** The SWAN VAS FA is a single supplier FA. The Price and Quality ratio was determined at the time that the FA was tendered. As such, the Quality aspect

has already been assessed and the Price captured in catalogues which the Council has access to.

- 4.3 Capita plc had advised that a price increase of between 5% - 40% would be implemented starting from 28 January 2023. Based on the Council's order this would represent an increase of between £23,000 - £190,000 to the order value.
- 4.4 The order was placed prior to the Tendering Committee and authorised by the Council's Section 95 Officer under Financial Regulations section Q8c.1 in order to avoid increased costs to the Council.
- 4.5 It is recommended to conclude the award of the contract for the Provision of Replacement of a Wireless Access Point to Capita plc. The contract value is £475,019.40 and the period is one year from 27 January 2023.
- 4.6 Capita plc have committed to following Fair Working Practices in line with the FA process and pay all staff the real Living Wage (min. of £10.90 per hour). There are no specific social benefits associated with the contract, however further social benefits will be discussed with the Capita and any actions to take any social benefits forward will be agreed and will be monitored as part of the Contract and Supplier Management Policy.

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 capital budgets for People and Technology.

7. Risk Analysis

- 7.1 Capita plc have no known links to Serious and Organised Crime which would have significant political and reputational ramifications for the Council.
- 7.2 If not authorised to award the contract before 27 January 2023, then the Council will not receive the very competitive pricing as noted.

8. Equalities Impact Assessment (EIA)

- 8.1 An equalities screening was undertaken for the original Home Committee report and there were no equalities implications. Where specific needs are identified, adjustments are made to the device specification.

9. Consultation

- 9.1 Consultation has taken place with ICT Services and Finance Services.

10. Strategic Assessment

- 10.1 The Replacement of Wireless Access Points contributes to the Council's strategic priority of delivering fit for purpose estate and facilities and delivers a positive response to staff feedback in the annual ICT Customer Satisfaction Survey.

Name: Angela Wilson

Designation: Chief Officer – Supply, Distribution and Property

Date:

Person to Contact: Ellie Street, Procurement Officer, Corporate Procurement Unit
Telephone: N/A
Email: ellie.street@west-dunbarton.gov.uk

Appendices: None

Background Papers: The Contract Strategy
EIA Screening

Wards Affected: None