

Agenda



Tendering Committee

Date: Wednesday, 28 August 2019

Time: 09:30

Venue: Clyde Room, 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 and Public Service Reform
Strategic Lead - Regulatory

Date of Issue: 15 August 2019

TENDERING COMMITTEE
WEDNESDAY, 28 AUGUST 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 26 June 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: WATER QUALITY MANAGEMENT INCLUDING LEGIONELLA 9 – 14

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 Water Quality Management Including Legionella.

6 CONTRACT AUTHORISATION REPORT: REPLACEMENT OF BRIDGE DECK AND ASSOCIATED WORKS FOR A811 LOMOND BRIDGE, BALLOCH 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 Replacement of Bridge Deck and Associated Works for A811 Lomond Bridge, Balloch.

**7 CONTRACT AUTHORISATION REPORT: DESIGN AND BUILD To Follow
GRUGGIES BURN FLOOD PREVENTION SCHEME**

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

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

Submit report by the Strategic Director of Transformation and Public Service 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).

TENDERING COMMITTEE

At a Meeting of the Tendering Committee held in the Brock Meeting Room, Council Offices, 16 Church Street, Dumbarton on Wednesday, 26 June 2019 at 9.30 a.m.

Present: Councillors Ian Dickson, Diane Docherty, Lawrence O'Neill and Brian Walker.

Attending: Stephen West, Strategic Lead – Resources; Joyce Campbell and Alison Wood, Business Partners – Strategic Procurement; Christina Fraser, Senior Procurement Officer; Suzanne Callaghan and Aileen Toland, Procurement Officers; Susan Mullin, Transport Coordinator, Education, Learning and Attainment; and Gabriella Gonda and Scott Kelly, Committee Officers.

Apologies: Apologies for absence were intimated on behalf of Provost William Hendrie and Councillors Gail Casey, Jim Finn and Marie McNair.

Councillor Ian Dickson 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 24 April 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: SCHOOL TRANSPORT SESSION 2019/2020

A report was submitted by the Chief Education Officer seeking approval to authorise the Chief Education Officer in liaison with Strathclyde Partnership for Transport (SPT) to conclude and award contracts for mainstream school transport from August 2019 and up to end of school session 2023/24.

Having heard the Transport Coordinator in further explanation and in answer to a Member's questions, the Committee agreed:-

- (1) to authorise the Chief Education Officer in liaison with SPT to conclude, on behalf of West Dunbartonshire Council, the award of contracts for the provision of mainstream school transport from August 2019 as detailed in Appendix 1 to the report;
- (2) to note that the contracts shall be for a maximum period of five years and at the cumulative value of £295,811, excluding VAT; and
- (3) to authorise the Chief Education Officer in liaison with SPT to approve any further contracts during school term 2019/20 for contracts not exceeding £50,000.

CONTRACT AUTHORISATION REPORT: WEST BRIDGEND WARDEN CALL 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 West Bridgend Warden Call System.

Having heard Ms Toland, Procurement Officer, in further explanation of the report, the Committee agreed:-

- (1) to authorise the Strategic Lead – Regulatory to conclude, on behalf of West Dunbartonshire Council, the award of the contract for West Bridgend Warden Call System to Tunstall Healthcare (UK) Limited; and
- (2) to note that the contract shall be for a period of 12 weeks and at a value of £96,946, excluding VAT.

CONTRACT AUTHORISATION REPORT: PROVISION AND DELIVERY OF WASHROOM SOLUTIONS AND SANITARY PRODUCTS

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 Provision and Delivery of Washroom Solutions (Lot 1) and Sanitary Products (Lot 2).

Having heard the Senior Procurement Officer in further explanation and in answer to a Member's question, the Committee agreed:-

- (1) to authorise the Strategic Lead – Regulatory to conclude the direct award under the Scotland Excel Framework Agreement for the Provision and Delivery of Washroom Solutions and Sanitary Products, namely:-
 - (a) Lot 1 – Washroom Solutions to Rentokil-Initial for the following:
 - sanitary waste disposal
 - nappy waste disposal
 - sanitisers, air fresheners
 - sharp disposal and medical waste disposal; and
 - (b) Lot 2 – Sanitary Products:
 - the supply of sanitary products to Hey Girls (Community Interest Company); and
- (2) to note that the contracts shall be for a period of three years with an option to extend for a further 12 months and at the estimated values were:-
 - Lot 1 – £144,237, excluding VAT, for three years and £192,316, excluding VAT, for four years; and
 - Lot 2 – £293,859, excluding VAT, for three years and £391,812, excluding VAT, for four years.

CONTRACT AUTHORISATION REPORT: OCCUPATIONAL HEALTH PROVISION, EMPLOYEE COUNSELLING AND PHYSIOTHERAPY SERVICES

A report was submitted by the Strategic Lead – Resources seeking approval to authorise the Strategic Lead – Regulatory to conclude the award of the contracts for Occupational Health, Employee Counselling and Physiotherapy Services.

After discussion and having heard Ms Callaghan, Procurement Officer, and the Strategic Lead – Resources 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 contracts for:-

- (1) Occupational Health Services (Lot 1) to People Asset Management Limited, it being noted that the contract shall be for a period of two years with an option to extend on two further occasions of up to 12 months on each occasion and at a total value, including any potential extension period, of £440,000, excluding VAT;
- (2) Employee Counselling Service (Lot 2) to People Asset Management Limited, it being noted that the contract shall be for a period of two years with an option to extend on two further occasions of up to 12 months on each occasion and at a total value, including any potential extension period, of £74,000, excluding VAT; and

- (3) Physiotherapy Service (Lot 3) to People Asset Management Limited, it being noted that the contract shall be for a period of two years with an option to extend on two further occasions of up to 12 months on each occasion and at a total value, including any potential extension period, of £150,000, excluding VAT.

DELEGATE AUTHORITY TO AWARD A CONTRACT DURING THE SUMMER RECESS – FOUNDATION APPRENTICESHIPS

A report was submitted by the Strategic Lead – Resources requesting that authority be delegated to the Strategic Lead – Housing and Employability, in consultation with the Vice Convener of the Tendering Committee, to award the contract for Foundation Apprenticeships over the summer recess period.

After discussion and having heard Ms Wood, Business Partner – Strategic Procurement, in further explanation and in answer to a Member's question, the Committee agreed to grant delegated authority to the Strategic Lead – Housing and Employability, in consultation with the Vice Convener of the Tendering Committee, the Leader of the Council and the Leader of the Opposition, to award the contract for Foundation Apprenticeships over the summer recess period, it being noted that the anticipated value of the contract was £204,000, excluding VAT, over two years, beginning in July 2019.

The meeting closed at 9.45 a.m.

WEST DUNBARTONSHIRE COUNCIL

Report by Strategic Director of Transformation and Public Service Reform

Tendering Committee: 28 August 2019

Subject: Contract Authorisation Report – Water Quality Management Including Legionella

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 Water Quality Management Including Legionella.

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 a Water Quality Management Including Legionella to Envirocure Limited.
- b) Note that the contract shall be for a period of three years with the option to extend for a further 2 up to 12 month periods. The 3-year value of the contract is £231,540 ex VAT with the 5-year value of the contract being £385,900 ex VAT, dependent on works requested.

3. Background

- 3.1** At a meeting of the Infrastructure, Regeneration & Economic Development (IRED) Committee on 15 May 2019, approval was given to issue a tender for water management services including legionella control within all Council operational buildings.

- 3.2** The Council adheres to the Health & Safety Arrangements Code 25 – Legionella, for hot and cold water systems within Council properties. It further confirms that the Council will ensure that their water storage and delivery systems are:

- Risk Assessed in line with BS 8580:2010 [Water Quality for Legionella Control];
- Maintained in both a proactive and reactive manner as required;
- Monitored in line with both the ACOP and HSG274 Part 2; and
- Reviewed on a regular basis to ensure that controls remain effective.

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 2015* (above the EU threshold) for Services. A Contract Strategy document was also approved by the Business Partner – Strategic Procurement (Place) on 1 July 2019.
- 4.2** A contract notice was published on the Public Contracts Scotland advertising portal and the Official Journal of the European Union (OJEU) on 5 July 2019. 25 providers expressed an interest, with 6 providers submitting a response by the deadline for the submissions of 6 August 2019 at 10:00 hours.
- 4.3** 6 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:

	Weighting	Envirocure Limited	Environtec Limited	HBE Limited	HCS Water Treatment Limited	Total Environmental Compliance Limited	Waterman Environmental Services Limited
Quality (40%)							
Service Delivery / Methodology	40 %	30.0%	32.0%	38.0%	30.0%	34.0%	26.0%
Business Continuity	30 %	20.2%	22.5%	27.7%	19.5%	17.2%	22.5%
Staffing	10 %	7.5%	8.7%	10.0%	8.7%	8.7%	7.5%
Reporting	10 %	5.0%	6.5%	9.5%	8.5%	8.0%	9.0%
Social Benefits	5 %	4.7%	4.7%	4.9%	5.0%	4.9%	4.7%
Sustainability	3 %	2.2%	3.0%	3.0%	3.0%	1.5%	3.0%
e-Procurement	1 %	0.9%	0.6%	1.0%	0.7%	0.6%	0.9%
Fair Working Practices	1 %	0.7%	0.5%	0.7%	1.0%	0.7%	0.7%
Total Quality	(100%)	71.2%	78.5%	94.8%	76.4%	75.6%	74.3 %
Total Quality	(40%)	28.5%	31.4%	37.9%	30.6	30.2%	29.7%
Price (60%)							
Price Sub Total £	-	£77,180.00	£234,865.00	£117,598.37	£124,834.00	£100,025.00	£100,209.95
Price Sub Total %	(60%)	60.0%	19.7%	39.4%	37.1%	46.3%	38.5%
Total Score	100%	88.5%	51.17%	77.3%	67.7%	76.5%	68.2%

- 4.4** It is recommended that the contract is awarded to Envirocure Limited of Bellshill, who has provided the most economically advantageous tender. The contract shall be for a period of 3 years at a value of £231,540, ex VAT, with the option to extend for a further 2 up to 12 month periods. The value of the contract is below the value approved by the IRED Committee.
- 4.5** Envirocure Limited has committed to follow Fair Working Practices and exceeds the Scottish Living Wage across all staff contracts.
- 4.6** Envirocure Limited have committed to delivery of the following social benefits as a result of delivery of this contract:
- Recruit member of staff from within the West Dunbartonshire geographical area;
 - Use of West Dunbartonshire based organisations for sub-contracting opportunities;
 - Facilitate quarterly local work experience opportunities covering a range of work based skills;
 - Measured and committed support for local Supported Businesses as part of this contract;
 - Donation of goods to local food-share scheme;
 - Sponsoring a local charity that promotes physical or mental health or wellbeing;
 - Donation of labour to support a local community project;
 - Providing volunteers to support a local community project;
 - Supporting environmental educational projects in local schools such as tree or woodland planting or educational packs;
 - Supplying free litter bins for local public spaces where plastic bottles can be recycled; and
 - Supporting the reduction of non-recyclable materials throughout the West Dunbartonshire area.

Delivery of the above social benefits will be discussed and firmed up as part of the implementation meeting.

5. People Implications

- 5.1** There are no people implications.

6. Financial and Procurement Implications

- 6.1** Financial costs in respect of this contract will be met from the approved Revenue budget of Energy and Compliance. As advised to IRED Committee on 15 May 2019, the budget held for this service requirement is £100,000 per year. The winning bid will therefore generate a saving of £22,820 per annum, dependent on works requested.

6.2 This procurement exercise was conducted in accordance with the agreed Contract Strategy produced by the Corporate Procurement Unit in close consultation with Energy Management officers and the provisions of Contract 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 was undertaken to determine if there is an equalities impact. The results were that there is no equalities impact.

9. Consultation

9.1 Energy Management 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 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 Director of Transformation and Public Service Reform

Date: 15 August 2019

Person to Contact: Aileen Toland, Procurement Officer, Corporate Procurement Unit, 16 Church Street, Dumbarton.
Telephone: 01389 737596
Email: aileen.toland@west-dunbarton.gov.uk

Mike Thomson, Senior Compliance Officer,
Bridge Street, Dumbarton. Telephone: 01389 737607
Email: mike.thomson@west-dunbarton.gov.uk.

Appendix: None

Background Papers: Contract Strategy

EIA Screening

Wards Affected:

All

WEST DUNBARTONSHIRE COUNCIL

Report by Strategic Director – Transformation & Public Sector Reform

Tendering Committee: 28 August 2019

Subject: Contract Authorisation Report - Replacement of Bridge Deck & Associated Works for A811 Lomond Bridge, Balloch

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

2. Recommendations

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

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 & Associated Works for A811 Lomond Bridge, Balloch to Balfour Beatty Civil Engineering Ltd; The contract shall be for a period of 6 months and at a value of £3.6m (estimated) ex VAT.

3. Background

- 3.1** The purpose of this contract is to appoint an experienced contractor to replace the bridge deck & carry out associated works for A811 Lomond Bridge, Balloch, within the agreed budget.
- 3.2** The budget of £3.6m for the replacement of the bridge deck and associated works at Lomond Bridge was approved within the general services 10 Year Capital Plan by Council at its meeting on 6 February 2013.

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 Works. A Contract Strategy document was also approved by the Procurement Manager on 10 July 2019.

4. Main Issues

4.1 Tender submissions for the Scape FA, were evaluated by Scape representatives following the weighted criteria 40%/60%:

<u>Scape FA Criteria</u>			
Quality		Cost	
Criteria	Weighting %	Criteria	Weighting %
Framework and Infrastructure	7.5%	Pricing Structure and Contract Scenarios	40%
Feasibility	5.0%		
Pre- Construction	10.0%		
Construction	12.5%		
Post Construction	7.5%		
Process Map	2.5%		
Commercial	5.0%		
Presentation	10.0%		

4.2 Balfour Beatty Civil Engineering Ltd were the most economically advantageous tenderer according to the weighted criteria above. They scored 83.8% which identified them as the preferred bidder for this FA. On advice of Scape it not possible to give names of other bidders due to it being commercially sensitive. The scores relative to the award criteria of each tenderer, are as follows:

Bidder	Overall	Overall Rank	Quality	ITT Rank	Presentation Score	Presentation Rank	Commercial Score	Commercial Rank
Balfour Beatty Civil Engineering Ltd	83.8%	1	39.2%	1	7.0%	1	37.6%	4
Bidder 2	81.8%	2	38.9%	2	5.0%	4	37.9%	3
Bidder 5	81.5%	3	34.9%	3	7.0%	1	39.6%	2
Bidder 3	71.6%	4	26.6%	4	5.0%	4	40.0%	1
Bidder 4	48.7%	5	16.9%	5	7.0%	1	24.7%	5

4.3 It is recommended that a direct award (a contract is awarded to a contractor on a FA without further competition) to Balfour Beatty Civil Engineering Ltd, 5 Churchill Place, Canary Wharf, London E14 5HU, via the Scape FA.

4.4 Balfour Beatty Civil Engineering Ltd, has committed to follow Fair Working Practices as below:

- Pay above the living wage;
- Currently making an application to become a living wage accredited employer;
- Committed to 100% of suppliers being paid within 19 days;
- 20% of contract will utilise local labour and spend; and
- 85% of spend with small and medium enterprises (SME's).

4.5 Beatty Civil Engineering Ltd have committed to delivery of various social benefits as part of the Scape FA. Social benefits will be agreed at the Council's initial meeting with Balfour Beatty and will aim to include a minimum of 85 social benefit points within the following areas:

- Employment, Skills and Training;
- Health and Wellbeing;
- Communities;
- Security and Crime;
- Fairly and Ethically Traded;
- Equality;
- Environment.

5. People Implications

5.1 There are no people implications.

6. Financial and Procurement Implications

6.1 Financial costs in respect of this contract agreement will be met from the approved 10 Year Capital Plan.

6.2 This procurement exercise was conducted in accordance with the agreed Contract Strategy produced by the Corporate Procurement Unit in close consultation with Raymond Walsh, Roads & Transportation Manager 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 and may have financial implications.

8. Equalities Impact Assessment (EIA)

- 8.1** An equalities impact screening was undertaken for this report and has confirmed there are no equalities impact.

9. Consultation

- 9.1** Regeneration, Environmental and Growth, Legal Services, Finance Services have all been consulted regarding the content of this report.

10. Strategic Assessment

- 10.1** The replacement of the bridge deck and associated works at Lomond Bridge will contribute to the delivery of the following:
- A Strong local economy and improved employment opportunities.
 - Meaningful community engagement with active empowered and informed citizens who feel safe and engaged.

Name: Angela Wilson

Designation: Strategic Director of Transformation and Public Service Reform

Date:

Person to Contact:	Jenna McCrum, Senior Procurement Officer, Corporate Procurement, Church Street, Dumbarton Tel: 01389 737856 Email: jenna.mccrum@west-dunbarton.gov.uk
Appendices:	N/A
Background Papers:	The Contract Strategy EIA Screening Full council meeting minutes 4 February 2013 – General services 10 year Capital Plan
Wards Affected:	Lomond Ward