

WEST DUNBARTONSHIRE COUNCIL

Report by Strategic Lead- Regeneration

Infrastructure, Regeneration and Economic Development Committee:

Date 15th May 2019

Subject: Tender for a Water Quality Management Service (including Legionella control)

1. Purpose

- 1.1** This report seeks the approval of the Committee for officers to issue a tender for water management services including legionella control within all council operational buildings.
- 1.2** Committee approval is required for this tendering process to conform with Council's standing orders, financial regulations and procurement procedures.
- 1.3** To allow West Dunbartonshire Council to act as the lead authority for the collaborative procurement of this service for both West Dunbartonshire & East Dunbartonshire Councils.

2. Recommendations

- 2.1** It is recommended that the Committee:
 - (i) approves the issue of the tender and delegates authority to the Executive Director of Infrastructure and Regeneration to award the contract to the most economically advantageous tender, on a price and quality basis.
 - (ii) approves West Dunbartonshire Council to act as lead authority for the collaborative tender.

3. Background

- 3.1** West Dunbartonshire Council requires the services of a competent contractor to facilitate water quality management in line with the Health and Safety Executive legislative compliance guidance document Approved Code of Practice document, (ACOP L8) 2013.
- 3.2** It is a legal requirement for places of business and public buildings to have a valid legionella risk assessment in place, to carry out legionella testing and take reasonable steps to prevent legionella from occurring, and in this case the responsibility for this rests with the Council as Duty Holder.

3.3 East Dunbartonshire Council's requirements and responsibilities match those of West Dunbartonshire Council's.

4. Main Issues

4.1 The current arrangement is that works are being instructed through an existing contract which is due for renewal in September 2019.

4.2 The contractor visits every operational building - 143 in total, to carry out monthly, six monthly and annual inspections in compliance with legislation.

4.3 Risk assessments have been provided as required by the incumbent contractor as part of the existing contract.

4.4 It is anticipated that the Council will collaborate with East Dunbartonshire Council in the procurement of a suitable contractor, but that separate contracting arrangements will then be entered into. Collaborating with East Dunbartonshire Council should make the combined requirements more attractive to the market and in return hopefully a more competitive response.

4.5 Collaboration with East Dunbartonshire Council and taking the role as lead authority demonstrates WDC's commitment to sharing best practice, pulling of resources and looking at ways of reducing overhead costs.

4.6 It is envisaged that there could be a reciprocal arrangement for future procurement activity, which would be beneficial to both authorities.

5. People Implications

5.1 There are no people implications associated with this report.

6. Financial Implications

6.1 Budget provision of £100,000 exists within Central Repairs Account (CRA) for this service.

6.2 Having a contract in place for a period of 2 years with options to extend for another 1+1 years will facilitate controlled pricing which assists with on-going budgetary planning.

7. Risk Analysis

7.1 If the contract is not re-tendered the existing supplier will be able to provide the service, however, the prices will be subject to fluctuation. Having a contract in place enables the prices to be set for a fixed period and a formal price review mechanism to be put in place.

7.2 Failure to carry out the management of water systems, would put the council at risk of failing in its statutory duty, and increase the risk from legionella and other water borne bacteria and infections.

8. Equalities Impact Assessment (EIA)

8.1 Screening has been carried out showing no need for an EIA therefore there is only general relevance.

9. Consultation

9.1 The relevant Sections of the Council have been consulted in relation to this report including Legal Services, Finance and Corporate Procurement.

10. Strategic Assessment

10.1 The initiation of a tender process for a Water Quality Management Service (including legionella control) will ensure efficiency in the provision of the service.

10.2 This approach supports the Corporate Procurement Strategy which, in turn, supports proper budgetary control and sound financial practice, which are cornerstones of good governance. It also supports the Council and officers to pursue the five strategic priorities of the Council's Strategic Plan.

Jim McAloon

Strategic Lead - Regeneration

Date: 18th April 2019

**Person to Contact: Michael Thomson Senior Compliance Officer, BridgeStreet,
01389 737609 mike.thomson@west-dunbarton.gov.uk**

Appendices: None

Background Papers: None

Wards Affected: All

