

To: Finance, Resources and Customer Services Policy Board

On: Thursday 14 September 2023

Report by: The Director of Finance and Resources and the Director of Environment, Housing and Infrastructure Services

Heading: Contract Award: Treatment & Disposal of Paint & Paint Tins (RC-CPU-23-068)

1. Summary

- 1.1 The purpose of this report is to seek the approval of the Finance, Resources and Customer Services Policy Board to award a Services Contract for Treatment & Disposal of Paint & Paint Tins (contract reference RC-CPU-23-068) to Clearwater D C 2001 Limited.
 - 1.2 The recommendation to award this Contract follows a mini competition made under the Scotland Excel Recyclable & Residual Waste Dynamic Purchasing System (schedule 27/17), Lot 16 Treatment and Disposal of Special Waste.
 - 1.3 An overarching Waste Commodity Contract Strategy was prepared by the Corporate Procurement Unit, this covered the Council's requirements for waste services and was approved by the Director of Environment and Infrastructure Services and the Strategic Commercial and Procurement Manager in October 2021.
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2. **Recommendations**

It is recommended that the Finance, Resources and Customer Services Policy Board:

- 2.1 Authorise the Head of Corporate Governance to award a Contract for Treatment and Disposal of Paint & Paint Tins (RC-CPU-23-068) to Clearwater D C 2001 Limited made following a mini-competition under Lot 16 Treatment and Disposal of Special Waste of the Scotland Excel Recyclable & Residual Waste Dynamic Purchasing System (schedule 27/17);
 - 2.2 Note the Contract is for the initial period of one year commencing 16 October 2023 until 15 October 2024 with the Council having the sole right to extend this Contract on two separate occasions for up to one year until 15 October 2026. In the event the Contract does not commence on 16 October 2023 the period of contract shall run from the actual Date of Commencement as stated within the Letter of Acceptance.
 - 2.3 Authorise the total Contract value of up to £360,000 excluding VAT.
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3. **Background**

- 3.1 The Council has a requirement for the processing, recycling, and disposal of paint and paint tins and also paint containers. The Council recognise that there are different types of paint (gloss and emulsion) and different disposal methods for each. The Council requires the Service Provider to collect paint tins and paint containers from each of the Council's 5 Household Waste Recycling Centres and deliver to their premises for treatment and disposal.
- 3.2 This procurement exercise has been tendered as a mini competition under the Scotland Excel Recyclable & Residual Waste Dynamic Purchasing System (schedule 27/17) under Lot 16 Treatment and Disposal of Special Waste ("DPS").
- 3.3 Lot 16 of this DPS at the time this mini-competition was issued had seventeen suppliers registered on the Public Contract Scotland Tender platform, all of whom were invited to participate in the mini competition issued on 11 July 2023. In accordance with the terms of the DPS the Council could use the Call off Terms prepared by Scotland Excel or could use Council terms for the mini-competition. The Council chose to use the Council's General Conditions of Contract for Services – Waste and Operation Terms and Conditions for this mini-competition which also uses the term Service Provider rather than Supplier.

- 3.4 By closing date set for return of electronic tenders of 12 noon on 4 August 2023, two Suppliers submitted a Tender Submission with fifteen Suppliers also invited failing to provide a response.
- 3.5 Both Suppliers (Tenderers) completed the European Single Procurement Document (ESPD) when applying for a place on the Scotland Excel Dynamic Purchasing System.
- 3.6 The 2 Tenderer's Tender Submissions were evaluated against the set award criteria which was based on a combined weighting of 30% Quality and 70% Price. The scores relative to the Award Criteria are as follows:

		Quality (30%)	Price (70%)	Total (100%)
1	Clearwater D C 2001 Limited	15.25	70.00	85.25
2	Enva Scotland Limited	27.50	43.00	70.50

- 3.7 The evaluation of tender submission received identified that the tender submission by Clearwater D C 2001 Limited was the most economically advantageous tender.
- 3.8 Community Benefits were requested as part of the procurement process and Clearwater D C 2001 Limited have committed to the following Community Benefits as part of the Contract.

Community Benefit Description	No of People / Activity
Modern Apprenticeship	1
Job for an unemployed individual	1

Implications of the Report

- Financial**
The costs under this Contract will be met from existing waste disposal revenue budgets.
- HR & Organisational Development** - No TUPE implications for the Council have arisen or are anticipated.
- Community/Council Planning – Place** - working together to enhance wellbeing across communities and delivering those strong universal services we all receive and all rely on – for example safe roads, clean and well-lit streets, efficient waste and recycling - making Renfrewshire a great place to live.

4. **Legal**

The procurement of this contract was carried out in accordance with the Scotland Excel Dynamic Purchasing System Processing & Disposal of Recyclable & Residual Waste (DPS) mini-competition arrangements and the Council's Standing Orders Relating to Contracts using the Council General Terms and Conditions for Services/Waste as permitted by the DPS.

5. **Property/Assets**

None

6. **Information Technology**

No property/asset implications have arisen or are anticipated

7. **Equality & Human Rights**

(a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.

8. **Health & Safety**

Clearwater D C 2001 Limited's Health and Safety submission was evaluated by the Council's Corporate Health and Safety team and meet the minimum requirements regarding health and safety.

9. **Procurement**

The procurement procedures outlined within this report shall ensure that the Council meets its statutory requirements in respect of procurement procedures, efficiency and modern Government.

10. **Risk**

Clearwater D C 2001 Limited's insurances have been assessed and evaluated to confirm they meet the minimum requirements regarding insurable risk.

11. **Privacy Impact**

No Privacy Impact Assessment requirements were identified within this procurement.

12. **Cosla Policy Position**

No Cosla Policy implications have been identified or are anticipated.

13. **Climate Risk**

The level of impact associated with provision of this service has been assessed using the Scottish Government Sustainability Test and this contract will strive towards the Scottish Government's aims and objectives for a Zero Waste Scotland.

List of Background Papers

None

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