

Minute of Meeting

Procurement Sub-committee

Date	Time	Venue
Wednesday, 30 November 2016	15:00	Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

PRESENT

Councillors Bibby, B Brown, Audrey Doig, Gilmour, Harte, Henry, Holmes, Mack, K MacLaren, M MacLaren, Murrin and Williams.

CHAIR

Councillor Holmes, Convener, presided.

IN ATTENDANCE

B Lambert, Acting Strategic Commercial & Procurement Manager, A Donaldson, Senior Procurement Specialist, S Gibb, Senior Procurement Manager and K Thomson, Category Manager (all Chief Executive's); P Shiach, Committee Services Officer (Finance & Resources); and L Gillan, Procurement Data Specialist (Scotland Excel).

APOLOGY

Councillor Noon.

DECLARATIONS OF INTEREST

There were no declarations of interest intimated prior to the commencement of the meeting.

1(a) CONTRACT AUTHORISATION REPORT: PURCHASE OF TABLET CLIENT DEVICES AND ACCESSORIES

There was submitted a joint report by the Chief Executive and the Director of Finance & Resources relative to entering into a direct award for the purchase of client tablet devices and accessories under the Scottish Government National Agreement for tablet client devices from 17 October 2016 to 20 June 2018.

The report advised that the Scottish Government had established a framework agreement for tablet devices. The procurement process undertaken to establish the Framework Agreement was the open tender procedure and advertised as a single operator with two Lots; Corporate and Education.

The report indicated that XMA Limited had been awarded sole supply of the framework agreement for both lots.

DECIDED:

(i) That the Head of Corporate Governance be authorised to award the direct award for the purchase of tablet client devices to XMA Limited from 17 October 2016 to 20 June 2018;

(ii) That it be noted that there was an option to extend the Framework Agreement for a period of 24 months, this being at the sole discretion of the Scottish Government. If the option to extend was approved, Renfrewshire Council would continue to utilise the extension period; and

(iii) That it be noted that the spend under the call off contract would be approximately £1,331,319.18 with approximately 500 devices being purchased per annum.

1(b) CONTRACT AUTHORISATION REPORT: PROVISION OF LOW LEVEL, PREVENTATIVE, HEALTH & WELLBEING SERVICES FOR OLDER ADULTS IN RENFREWSHIRE

There was submitted a joint report by the Chief Executive and the Chief Officer, Renfrewshire Health & Social Care Partnership relative to the award of a contract for the provision of low level, preventative, health & wellbeing services for older adults in Renfrewshire for an initial period of three years commencing on 1 January 2017.

The report advised that the service providing health, wellbeing and social activities for older people in Renfrewshire was currently grant funded and delivered by ROAR Connections for Life through a Service Level Agreement (SLA) with Renfrewshire Council with joint funding from Renfrewshire Health & Social Care Partnership.

The report indicated that for the purposes of the Public Contracts regulations 2015, the scope of the service to be provided fell within the definition of "Social and Other Specific Services" and the procurement was compliant with Chapter 3 Section 7 of the Regulations.

The report intimated that the Service was unique and that approval to enter into a negotiated contract with ROAR Connections for Life Limited for the provision of the Service had been granted in April 2016.

The report stated that Invitation to Tender documentation had been issued to ROAR Connections for Life Limited on 7 September 2016 and their tender received by the deadline for submission of bids on 5 October. The tender submission was assessed by representatives from the Corporate Procurement Unit and Renfrewshire Health & Social Care Partnership and was found to be acceptable on both commercial and technical grounds.

DECIDED:

(i) That the Head of Corporate Governance be authorised to award the contract for the Provision of Low Level, Preventative, Health & Wellbeing Services for Older Adults in Renfrewshire to ROAR Connections for Life Limited;

(ii) That it be noted that the contract value including the maximum option period would be £1,305,000 excluding VAT; and

(iii) That it be noted that the contract would commence on 1 January 2017 for a period of three years with the Council's option to extend the contract for one year on two separate occasions to no later than 31 December 2021.

1(c) CONTRACT AUTHORISATION REPORT: NATIONAL CARE HOME CONTRACT EXTENSION - 11/04/2016 TO 09/04/2017

There was submitted a joint report by the Chief Executive and the Chief Officer, Renfrewshire Health & Social care Partnership relative to seeking formal retrospective approval for the award of 18 separate contracts for Extensions for the period 11 April 2016 to 9 April 2017, with an option to extend for a further 12 month period to 9 April 2018, to the existing National Care Home Contract (NCHC) Providers listed in Appendix A to the report.

The report advised that a National Care Home Contract (NCHC) had existed in different versions since 2006 for the provision of residential and/or nursing care throughout Scotland.

The report indicated that negotiations in 2016 between COSLA, Scotland Excel and representatives of the Providers concluded in March 2016 and resulted in an increase in fees as detailed in the report. Renfrewshire Council had not been represented in the original negotiations and the issue of the formal Minute of Variation to support the agreement was subject to delay. Details of the subsequent negotiations required were detailed in the report.

DECIDED:

(i) That it be noted that the Contract extension commenced on 11 April 2016 until 9 April 2017;

(ii) That it be noted that, in line with the decision taken for previous NCHC extensions for 2015/16, the increases applied for the proposed NCHC extensions for the period 11 April 2016 to 9 April 2017 were in accordance with the rates as nationally agreed by COSLA and Scotland Excel pending the agreement and introduction of a revised negotiating policy for Renfrewshire Council;

(iii) That the formal retrospective award of Contract for Extensions to the NCHC for the period 11 April 2016 to 9 April 2017, with an option to extend for a further 12-

month period to 9 April 2018, to the existing Providers listed in Appendix A to the report, be approved; and

(iv) That it be noted that the anticipated total spend during the period of the extension, including the option period would be approximately £56m excluding VAT.

1(d) CONTRACT AUTHORISATION REPORT: MEASURED TERM CONTRACT FOR LEGIONELLA PREVENTION, CONTROL AND RISK MANAGEMENT SERVICES

There was submitted a joint report by the Chief Executive and the Director of Community Resources relative to the award of a Measured Term Contract for the Provision of a Legionella Prevention, Control and Risk Management Service throughout the Renfrewshire Council estate.

The report advised that at the deadline for the return of tenders 11 bids had been received. The bids were evaluated against a set of award criteria which was based on a price/quality ratio of 70:30 following which 10 bids passed the mandatory requirements. One bid was withdrawn. Details of the scores relative to the award criteria of each tenderer were contained within the report.

DECIDED:

(i) That the Head of Corporate Governance be authorised to award the contract for the Provision of a Legionella Prevention, Control and Risk Management Service, RC/RC/106/16 to ChemTech Consultancy Limited;

(ii) That it be noted that the Contract would be for an initial period of three years with the Council having the option to extend the contract term for 12 months on two separate occasions giving a potential total contract term of five years;

(iii) That it be noted that the anticipated annual value of the contract had been assessed as £180,000.00 excluding VAT; and

(iv) That a ceiling value of £540,000.00 be approved for this contract over the initial 3- year period and this ceiling value be increased by £180,000.00 for each additional year should the Council take up the extension options up to a total ceiling value of £900,000.00 excluding VAT over the potential 5-year term.

1(e) CONTRACT AUTHORISATION REPORT: PROVISION OF A PUPIL SUPPORT PROGRAMME

There was submitted a joint report by the Chief Executive and the Director of Children's Services relative to the award of a contract for the Provision of a Pupil Development Programme.

The report advised that as part of the Achieving Step Change Project, Renfrewshire Council agreed to investigate and deliver evidence based programmes to improve outcomes for children and young people in Renfrewshire. One of the programmes identified as being appropriate for implementation was Promoting Alternative Thinking Strategies PATHS).

The report intimated that PATHS could only be delivered by staff trained and approved by the programme developers. Barnardo's held the UK licence for PATHS and had mapped this across Scottish schools to meet the requirements within the

Curriculum for Excellence, and on this basis, approval to enter in to a negotiated contract with Barnardo's for PATHS was given in April 2016 in accordance with Schedule 5, clause C.1 (c) Special Arrangements for Social Care Contracts of Renfrewshire Council's Contract Standing Orders.

The report indicated that Barnardo's had already provided the PATHS programme in 13 of Renfrewshire's schools through a grant from the Big Lottery. The grant funding had ended and Children's Services had identified the continuation and roll-out of the PATHS programme as a key element in the strategy for improving children's outcomes.

The report stated that contract documentation was issued to Barnardo's on 30 June 2016 and their submission was received on 5 July 2016. The submission was assessed by representatives from both the Corporate Procurement Unit and Children's Services, and was considered acceptable on both technical and commercial grounds.

DECIDED:

(i) That the Head of Corporate Governance be authorised to award the contract for the Provision of a Pupil Development Programme to Barnardo's;

(ii) That it be noted that the contract value was £366,630 excluding VAT: and

(iii) That it be noted that it was anticipated that the contract would commence on 12 December, 2016 for a period of 2 years and 7 months to no later than 30 June 2019, with the actual commencement date to be confirmed in the Council's letter of acceptance.

1(f) CONTRACT AUTHORISATION REPORT: POSTAL SERVICES

There was submitted a joint report by the Chief Executive and the Director of Finance & Resources relative to entering into a contract for Postal Services to be made by direct award under Lot 1 of the Crown Commercial Services (CCS) Framework Agreement for Postal Goods and Services.

The report advised that the current Council contract for postal services would expire on 31 December 2016 and a replacement contract was required from 1 January 2017. The Corporate Procurement Unit had carried out a desk top exercise to review the best option available for this new contract which included review of the existing Crown Commercial Service Postal Goods and Service, Framework Agreement RM1063 Lot 1 which commenced in February 2015 and the Scottish Procurement Postal Services Framework SP-15-014 Lot 1 which started earlier this year.

The report intimated that due to the timescales involved and the requirement to make an award by 13 December 2016, the recommendation was to look at a direct award via one of the existing frameworks identified in section 3.1 of the report. A comparison of the rates offered for direct awards under the respective frameworks was undertaken by the Corporate Procurement Unit and the HQ Facilities Co-ordinator, in order to determine the best value for the Council.

The report indicated that after the desk top review officers identified that the Council would achieve best value by utilising the Direct Award option on the Crown Commercial Service Postal Goods and Service, Framework Agreement RM1063 Lot

1 for a Call Off Contract with Whistl UK Limited.

DECIDED:

(i) That the Head of Corporate Governance be authorised to make the award of the Call Off Contract for Postal Services under Lot 1 of the Crown Commercial Services (CCS) Framework Contract RM1063 Postal Goods and Services to Whistl UK Limited;

(ii) That it be noted that the Call Off contract would commence on 1 January 2017 until 16 February 2018 with the Council having the sole option to extend on two separate occasions up to 12-month periods to no later than 16 February 2020; and

(iii) That it be noted that where the full extension options were exercised the total value of the Call Off contract would be up to £665,000 excluding VAT.

1(g) CONTRACT AUTHORISATION REPORT: MINI COMPETITION FOR THE STRATEGIC REVIEW OF STREET LIGHTING - LED LANTERN REPLACEMENT 2016/17 - PHASE 3

There was submitted a joint report by the Chief Executive and the Director of Community Resources relative to the award of a contract for a Mini Competition for the Strategic Review of Street Lighting – LED Lantern Replacement 2016/17 – Phase 3 under the terms of Scotland Excel's Framework Contract for Street Lighting Bulk Renewal of Luminaires.

The report advised that nine suppliers were awarded onto the framework contract and that at the deadline for the return of tenders two bids had been received. The bids were evaluated against a set of award criteria details of which were contained within the report.

DECIDED:

(i) That the Head of Corporate Governance be authorised to award the contract for the Strategic Review of Street Lighting – LED Lantern Replacement 2016/17 – Phase 3 (reference RC1610_6962(ITT15294) to Power 1 Electrical Contractors Limited;

(ii) That it be noted that the value of the contract would be £504,273.44 excluding VAT with an additional value of 10% contingency for unforeseen works; and

(iii) That it be noted that the starting date of the contract was anticipated to be 12 January 2017 with the Contractor receiving the first delivery of LED lanterns on that date; the Contractor would be on-site on 23 January 2017; and the completion date would be 19 May 2017.

1(h) CONTRACT AUTHORISATION REPORT: REPAIR, MAINTENANCE AND IMPROVEMENTS TO ROADS RELATED STRUCTURES

There was submitted a joint report by the Chief Executive and the Director of Community Resources relative to the award of a Framework Agreement for the Repair, Maintenance and Improvements to Roads Related Structures.

The report advised that a Framework Agreement had been established to ensure timeous access to pre-selected, appropriately qualified contractors.

The report intimated that at the deadline for the return of tenders eight bids had been received. Of these eight organisations, six submitted a bid for inclusion on Lot 1, and eight submitted a bid for inclusion on Lot 2. The bids were evaluated against a set of award criteria which was based on a price/quality ratio of 70:30. Details of the scores relative to the award criteria of each tenderer were contained within the report.

DECIDED:

(i) That the Head of Corporate Governance be authorised to award the Framework Agreement for the Repair, Maintenance and Improvement to Roads Related Structures to the parties listed below: -

Lot 1 – Works up to and including the value of £50,000

- (a) WI & A Gilbert Limited;
- (b) MacAshphalt Limited;
- (c) Mackenzie Construction Limited.

Lot 2 – Works over £50,000

- (a) W I & A Gilbert Limited;
- (b) Mackenzie Construction Limited;
- (c) Highway Barrier Solutions Limited;
- (d) Robertson Construction Group Limited;

(ii) That it be noted that the Framework Agreement was intended to commence on 14 December 2016 and would be for a period of four years;

(iii) That it be noted that the spend under the Framework Agreement would be up to the value of £800,000 excluding VAT; and

(iv) That it be noted that any package orders awarded under the Framework Agreement would be subject to Council Standing Orders Relating to Contracts.

1(i) CONTRACT AUTHORISATION REPORT: COMMUNITY HALLS INVESTMENT WORKS (ROOF AND RENDER WORKS)

There was submitted a joint report by the Chief Executive and the Director of Community Resources relative to the award of a Standard Building Contract for Minor Works for use in Scotland (SBC/MW/Scot) 2011 Edition for Roof and Render works across five Community Centres.

The report advised that at the deadline for the return of tenders six bids had been received. The bids were evaluated against a set of award criteria which was based on a price/quality ratio of 50:50. Details of the scores relative to the award criteria of each tenderer were contained within the report.

DECIDED:

(i) That the Head of Corporate Governance be authorised to award the Contract for Community Halls Investment Works (Roof and Render Works) RC/OC/201/17 to Cite Gate Construction Limited;

(ii) That it be noted that the contract value was £511,381.00 excluding VAT; and

(iii) That it be noted that the Council's letter of acceptance was anticipated to be issued on 12 December 2016 with a date for commencement of works on site as 16 January 2016 and with the date of completion of works as 1 May, 2017; and that it be noted that any changes to these dates and the actual date of commencement of works would be confirmed in the Council's letter of acceptance.

1(j) CONTRACT AUTHORISATION REPORT: MEASURED TERM CONTRACT FOR THE MAINTENANCE, REPAIR, REPLACEMENT AND INSTALLATION OF ROLLER SHUTTERS

There was submitted a joint report by the Chief Executive and Director of Community Resources relative to the award of a Measured Term Contract (MTC) for the maintenance, repair, replacement and installation of roller shutters to Taymore Limited.

The report advised that at the deadline for the return of tenders five bids had been received. The bids were evaluated against a set of award criteria which was based on a price/quality ratio of 70:30. Details of the scores relative to the award criteria of each tenderer were contained within the report.

DECIDED:

(i) That the Head of Corporate Governance be authorised to award the Measured Term Contract for Maintenance, Repair, Replacement and Installation of Roller Shutters to Taymore Limited;

(ii) That it be noted that the value of the MTC would be £210,000 excluding VAT over the initial three-year period; that the Council reserved the right to extend the contract on (one or two) separate occasions to a maximum total period of five years; and that where the Council took up both extension to the contract period, the total contract value would be £350,000 excluding VAT over the five year term; and

(iii) That it be noted that the proposed date for the MTC to commence was 1 January 2017 with the exact date to be confirmed in the Council's letter of acceptance.

1(k) CONTRACT AUTHORISATION REPORT: PROVISION OF PLANT HIRE AND OPERATORS

There was submitted a joint report by the Chief Executive and the Director of Community Resources relative to the award of a National Engineering Contract (NEC3) Term Service Short Contract (April 2013) for the provision of plant hire and operators.

The report advised that at the deadline for the return of tenders six bids had been received. The bids were evaluated against a set of award criteria which was based on a price/quality ratio of 75:25. Details of the scores relative to the award criteria of each tenderer were contained within the report.

DECIDED:

(i) That the Head of Corporate Governance be authorised to award the contract for the Provision of Plant Hire and Operators to MacAsphalt Limited;

(ii) That it be noted that the allocated budget for the programme was £250,000 per

year; that for evaluation purposes the tender included a list of plant the Council may require to hire over the contract period; that the tendered total from MacAsphalt Limited, based on a notional allocation of quantities against each of these elements of plant for evaluation purposes only was £19,253.46 excluding VAT; that it be noted that the rates from the price list would apply each time the Council issued a task order instructing plant hire throughout the duration of the contract; and

(iii) That it be noted that the starting date of the contract was anticipated to be 9 January 2017 for a period of two years with the Council having the option to extend for a further 12-month period, with the starting date to be confirmed in the letter of acceptance.