

To: Finance, Resources and Customer Services Policy Board

On: 5 September 2018

Report by: Chief Executive and the Director of Environment & Infrastructure Services

Heading: Purchase of Three Wheelchair Accessible Buses (RC-CPU-18-198)

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 contract for the purchase of Three Wheelchair Accessible Buses from Nu-Track Ltd under the Council's Vehicle Replacement Programme for 2018/2019.
 - 1.2 This procurement exercise was conducted as direct award for the three vehicles under Lot (9) of the Scotland Excel Framework Agreement for Heavy Vehicles and Municipal Vehicles (ref: 03/17) and in accordance with the Council Standing Orders relating to Contracts.
 - 1.3 A Contract Strategy was prepared by the Corporate Procurement Unit which covered the vehicle replacement programmes from 2018/19 to 2022/2023 for the purchase of vehicles and was approved by Director of Environment and Communities the predecessor service to Environment and Infrastructure, and the Corporate Procurement Manager in June 2018
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2. Recommendations

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

- 2.1.1 The Head of Corporate Governance to award a Contract for the purchase of Three Wheelchair Accessible Buses to Nu-Track Ltd.
 - 2.1.2 The total value of this contract for the three vehicles of £374,124 excluding VAT.
 - 2.1.3 The vehicle delivery date of 31 March 2019. Delivery will be made to Environment and Infrastructure Services.
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3. Background

- 3.1. As part of the vehicle replacement programme Environment & Infrastructure Services identified a requirement to purchase three new wheelchair accessible buses. In accordance with clause 29.4 of the Standing Order relating to Contracts, the Scotland Excel Framework Agreement for Heavy Vehicles and Municipal Vehicles (ref: 03/17) was identified as the best option for the required vehicle purchases.
- 3.2. Scotland Excel established a Framework Agreement for Heavy Vehicles and Municipal Vehicles (ref: 03/17) on 1 January 2018. All 32 Local Authorities in Scotland have the opportunity to utilise this Framework Agreement. Scotland Excel advertised the requirement for the framework agreement in the Official Journal of the European Union through Public Contracts Scotland portal.
- 3.3. The procurement process undertaken to establish the Framework Agreement was the open tender procedure conducted in compliance with the Public Contracts (Scotland) Regulations 2015. The Framework Agreement allows for “Direct Awards” to be utilised as the Selection Procedure where the Council can demonstrate best value for money.
- 3.4. Analysis of the Suppliers on the relevant Lot of the Scotland Excel Framework Agreement for Heavy and Municipal Vehicles (ref: 03/17) was undertaken. The analysis demonstrated that best value for money could be achieved by making a direct award for the purchase of Three Wheelchair Accessible Buses from Nu-Track Ltd. This analysis took into consideration the benefits of continuity of fleet following an investment in training & maintenance equipment, delivery timescales and whole life costing from all suppliers able to meet the minimum requirements under the Framework Agreement.
- 3.5. The costs for these contracts will be met from the Environment & Infrastructure Capital budget allocation for the Vehicle Replacement Programme for financial year 2018/19.

- 3.6. Community and additional benefits were requested on a voluntary basis with the following commitment provided from Nu-Track Ltd.
- Financial Support for a Community Project to the value of £250.00.

Implications of the Report

1. **Financial** – The costs under this Contract will be funded from the Environment & Infrastructure Capital budget allocation for the Vehicle Replacement Programme for financial year 2018/2019.
2. **HR & Organisational Development** - No TUPE implications have arisen or are anticipated.
3. **Community/Council Planning** – N/A
4. **Legal** - The procurement of this Contract was conducted in accordance with the requirements for a direct award under the Scotland Excel Framework Agreement for Heavy Vehicles and Municipal Vehicles (ref: 03/17) and the Council's Standing Orders relating to Contracts for an above EU threshold Services Contract.
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 because for example it is for noting only. 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** – Nu-Track’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** – Nu-Track’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 Position implications have arisen or are anticipated

List of Background Papers – N/A

Author: *Graeme Beattie*, Strategic Commercial Category Manager,
Tel: 0141 618 4710