



Oversight and Governance

Chief Executive's Department

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Delegated Decisions

Delegated Executive/Officer Decisions

Delegated Executive and Officer decisions are published every Wednesday and are available at the following link - <https://tinyurl.com/ms6umor>

Cabinet decisions subject to call-in are published at the following link - <http://tinyurl.com/yddrql6>

Please note – urgent decisions and non-key Council Officer decisions cannot be called in. Copies of the decisions together with background reports are available for viewing as follows:

- on the Council's Intranet Site at <https://modgov/mgDelegatedDecisions.aspx>
- on the Council's website at <https://tinyurl.com/jhnax4e>

The non-key Council Officer decisions detailed below may be implemented immediately.

Delegated Decisions

I. Council Officer Decision - Anthony Payne (Strategic Director for Place):

- I.a Award of Contract for the Provision of Garden Waste Plastic 2 - Wheeled Bins **(Pages 1 - 20)**

EXECUTIVE DECISION

made by a Council Officer

**REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL COUNCIL OFFICER**

Executive Decision Reference Number – COD10 20/21

Decision				
1	Title of decision: Award of Contract for the Provision of Garden Waste Plastic 2-Wheeled Bins			
2	Decision maker (Council Officer name and job title): Anthony Payne, Strategic Director for Place			
3	Report author and contact details: Katrina Houghton, Head of Service (Street Scene and Waste)			
4a	Decision to be taken: To award the contract for the provision of garden waste wheeled bins to the highest scoring tenderer of a recent procurement.			
4b	Reference number of original executive decision or date of original committee meeting where delegation was made: Decision taken at Cabinet Meeting on 13 October 2020.			
5	Reasons for decision: The successful tenderer's bid submission met all quality scoring thresholds and was the most economically advantageous.			
6	Alternative options considered and rejected: Not awarding a contract. This was discounted due to the significant benefits outlined in the Business Case which underpins the decision to use wheeled bins for the garden waste collection services, as approved at the 13 October Cabinet Meeting.			
7	Financial implications: The contract award amount covers the initial forecast roll out of wheelie bins as accounted for within the overarching £1.874m Capital Project approved by Cabinet on the 13 October 2020. The contract award also covers future wheeled bin requirements which are covered by existing budgets.			
8	Is the decision a Key Decision? (please contact Democratic Support for further advice)	Yes	No	Per the Constitution, a key decision is one which: in the case of capital projects and contract awards, results in a new commitment to spend and/or save in excess of £3million in total
			x	

		x	in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1 million
		x	is significant in terms of its effect on communities living or working in an area comprising two or more wards in the area of the local authority.
8b	If yes, date of publication of the notice in the Forward Plan of Key Decisions		
9	Please specify how this decision is linked to the Council's corporate plan/Plymouth Plan and/or the policy framework and/or the revenue/capital budget:		The proposal is specifically linked to the Corporate Plan objectives to ensure Plymouth is both clean and tidy, and also a green sustainable city that cares about the environment.
10	Please specify any direct environmental implications of the decision (carbon impact)		The adoption of wheelie bins has a number of benefits with a ten plus year life expectancy. This is anticipated to be preferable to bags which have a high churn rate over the period and due to the material and use cannot be recycled. Broken wheelie bins are recycled and are made from a high percentage of recycled materials.


Urgent decisions

11	Is the decision urgent and to be implemented immediately in the interests of the Council or the public?	Yes		(If yes, please contact Democratic Support for advice)
		No	X	(If no, go to section 13a)
12a	Reason for urgency:			
12b	Scrutiny Chair signature:		Date	
	Scrutiny Committee name:			
	Print Name:			

Consultation

13a	Are any other Cabinet members' portfolios affected by the decision?	Yes	X	
		No		(If no go to section 14)
13b	Which other Cabinet member's portfolio is affected by the decision?	Councillor Sue Dann, Cabinet Member for Environment and Street Scene.		

13c	Date Cabinet member consulted	22 October 2020						
14	Has any Cabinet member declared a conflict of interest in relation to the decision?	Yes		If yes, please discuss with the Monitoring Officer				
		No	X					
15	Which Corporate Management Team member has been consulted?	Name	Anthony Payne					
		Job title	Strategic Director for Place					
		Date consulted	20 October 2020					
Sign-off								
16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS54 20/21					
		Finance (mandatory)	pl.20.21.121.					
		Legal (mandatory)	MS/21.10.20					
		Human Resources (if applicable)						
		Corporate property (if applicable)						
		Procurement (if applicable)	PW/PS/562/ED/1020					
Appendices								
17	Ref.	Title of appendix						
	A	Contract Award Report Part 1						
Confidential/exempt information								
18a	Do you need to include any confidential/exempt information?	Yes	X	If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in 18b below.				
		No						
		Exemption Paragraph Number						
		1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title: Contract Award Report Part 2			X				
Background Papers								
19	Please list all unpublished, background papers relevant to the decision in the table below.							

Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.							
Title of background paper(s)	Exemption Paragraph Number						
	1	2	3	4	5	6	7
Council Officer Signature							
20	I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not. For further details please see the EIA attached.						
Signature			Date of decision		21.10.20		
Print Name	Katrina Houghton						

**CONTRACT AWARD
REPORT - PART I**



**GARDEN WASTE PLASTIC
2-WHEELED BINS**

**Procurement Reference No.
20148**

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1. INTRODUCTION

This report is in relation to the procurement process undertaken and recommendation related to the award of Contract for the Provision of Garden Waste Plastic 2-Wheeled Bins.

2. BACKGROUND

Plymouth City Council is seeking to transition its seasonal kerbside garden waste collection service across the City, from a bagged service to predominately a wheeled bin service, ready for the 2021 season that will commence from 5th April 2021.

As part of the current service, residents are issued with reusable plastic bags, which are presented for collection. The 90 litre reusable bags are manually lifted by operatives and emptied directly into the back of Refuse Collection Vehicles. The vehicles have been modified to remove the mechanical wheelie bin lift to reduce the lifting height involved which means it is a dedicated fleet. The 2020 season has been significantly impacted by the coronavirus pandemic due to the need to reallocate a reduced workforce to ensure that general and recycling household collections were maintained. Only a reduced frequency service was able to commence from 24 August 2020 whereas in prior years the service starts in Spring and is provided fortnightly.

The extensive use of bags and the repeated lifting of them presents a risk to the health, safety and wellbeing of our staff. Whilst measures in recent years have been introduced to reduce this risk, such as reinforcing the terms of the service on the content and number of bags to be collected, the collection method is not in line with industry standards. Collections present excessive physical demand from lift, twist and repetition with a high risk of musculoskeletal injury to loaders. The Manual Handling Operations Regulation 1992, Regulation 4 clearly states that Employers hold duties to avoid manual handling and reduce the risk of injury so far as is reasonably practicable.

In addition, there is a very high turnover and replacement cost of bags, from loss and poor durability [£21k in FY2018/19].

A Council Executive decision during October 2019, began improvements to the service with residents asked to register to 'Opt-in' for the service; this led to the registration of 38,000 households, which is approximately a third of all City properties.

The next step of the improvement journey is to transition from bags to a wheeled bin service which will require the investment and distribution of circa. 40,000 new-wheeled bin containment to households who register for the 2021 service. Distribution will take place over an 8-week period commencing in the 2021 New Year.

3. PROCUREMENT PROCESS

Following a procurement options appraisal, it was determined that undertaking a further competition through a Predetermined EU compliant Framework Agreement was the most suitable route to market to procure this requirement, with the following national framework considered the most suitable:

ESPO Framework 860_18 – Refuse & Recycling Products, Lot 1A – Supply of Plastic Wheeled Bins (2 Wheeled)

This framework is a nationally procured framework that was established in accordance with EU procurement regulations; it provides a quick, simple and competitive route to the supply of refuse & recycling products including but not limited to wheeled bins, kerbside recycling boxes and bags, food waste containers, compostable liners, plastic refuse sacks, waste housing units and compost bins. The framework will also provide services for container maintenance.

The framework is intended to meet the diverse requirements of local authorities and other eligible organisations.

Some of the benefits from using this option are:

- Suppliers listed on the framework were assessed during the procurement process for their financial stability, track record, experience and technical & professional ability, before being awarded a place on the framework.
- Quick and easy to use – Compliant with UK/EU procurement legislation, so no need to run a full EU procurement process.
- Pre-agreed terms & conditions - Pre-agreed under the framework and will underpin all orders.

As part of the framework agreement, there is the option to either direct award, or run a further competition between the framework suppliers within the relevant framework lot.

A further competition exercise was undertaken, with all suppliers named on the relevant Lot of the framework invited to Tender.

4. TENDER EVALUATION CRITERIA

ESPO formed the framework through undertaking an open competition procurement exercise in compliance with all public procurement regulations to appoint suppliers to the framework. Selection of suppliers was based on the Most Economically Advantageous Tenders and was defined in the OJEU Contract Notice as 60% attributed to quality and 40% attributed to price.

Suppliers have been assessed on their financial, technical, environmental or social standing. Suppliers have also already agreed to the terms and conditions of the framework, and the subsequent call-off schedules.

Evaluation of the further competition exercise was undertaken in accordance with the overall evaluation strategy for the project.

All responses were assessed against the Evaluation Criteria set out below:

EVALUATION CRITERIA	WEIGHTING
Price	50%
Non-Price	50%

A Tender would not be accepted if it significantly failed to satisfy any specific criterion, even if it scored relatively well against all other criteria.

In the event that evaluating officers, acting reasonably, considered that a Tender was fundamentally unacceptable on any issue, then regardless of the Tender's other merits or its overall score, and regardless of the weighting scheme, that Tender may have been rejected.

PRICE (50% in this example)

Tenderers were asked to complete the Price Schedule in the relevant Lot's Further Competition Response Document.

Tenderers' price scores were calculated based upon the lowest price submitted by Tenderers.

$$\left(\frac{\text{Lowest Total Tender Sum}}{\text{Tenderer's Total Tender Sum}} \right) \times \text{Weighting} = \text{Weighted score}$$

A Tenderer's score was determined by the evaluation of the relative competitiveness of each Branded Bin size, including delivery to households total price offered multiplied by the relative weighting. These scores were added together to give the overall financial weighted points total out of 50% and relative ranking in order of overall competitiveness (see Example A below).

Example A – Price evaluation model

Weighting	% Split
140Ltr Branded Bin Total Price	20%
240Ltr Branded Bin Total Price	30%

140Ltr Branded Bin

Tenderer	Price	Calculation	Final Score
1	£85	80/85 x 20	18.82
2	£80	80/80 x 20	20.00
3	£90	80/90 x 20	17.78

240Ltr Branded Bin

Tenderer	Price	Calculation	Final Score
1	£100	100/100 x 30	30.00
2	£115	100/115 x 30	26.09
3	£120	100/120 x 30	25.00

Total Price Score = 140Ltr + 240Ltr Score

Tenderer	Total Score	Ranking
1	48.82	1
2	46.09	2
3	42.78	3

NON-PRICE (50% in this example)

Tenderers were asked to provide a number of method statements within the further competition document, which were intended to explain how they would meet specific requirements.

There were 3 method statements under the 3 headings, to be provided in total.

Each method statement was scored on a scale of 0 to 5 points, in accordance with the following scheme:

Response	Score	Definition
Excellent	5	Response is completely relevant and excellent overall. The response is comprehensive, unambiguous and demonstrates a thorough understanding of the requirement/outcomes and provides details of how the requirement/outcomes will be met in full.
Very good	4	Response is particular relevant. The response is precisely detailed to demonstrate a very good understanding of the requirements and provides details on how these will be fulfilled.
Good	3	Response is relevant and good. The response is sufficiently detailed to demonstrate a good understanding and provides details on how the requirements/outcomes will be fulfilled.
Satisfactory	2	Response is relevant and acceptable. The response addresses a broad understanding of the requirements/outcomes but lacks details on how the requirement/outcomes will be fulfilled in certain areas.
Poor	1	Response is partially relevant and poor. The response addresses some elements of the requirements/outcomes but contains insufficient/limited detail and explanation to demonstrate how the requirements/outcomes will be fulfilled.
Unacceptable	0	No or inadequate response. Fails to demonstrate an ability to meet the requirement/deliver the required outcomes.

Tenderers had to achieve a score of 2 or more for each scored item. Any scored criteria item receiving less than 2 would result in the Tender being rejected and Tenderers being disqualified from the process.

Tenderers scores for each method statement were multiplied by the relevant weighting to result in a 'weighted score' for that method statement. The weighted scores were then be totalled, with the total expressed as an overall score out of 50.

Method Statements		Tier 1	Tier 2
Non-Price		50%	
MS1	Service Delivery & Distribution to Households		30%
MS2	Approach to Business Continuity & Risk Management		14%
MS3	Social Value		6%

Social Value

Social Value commitments had to be submitted in Excel format using the National TOMs Calculator template provided, this was a required to enable the Council to analyse the Social Value submission.

Each social value offer made may be claimed once only.

The proxy values and units contained within were not to be amended.

Offers would be adjusted if any values/units are amended.

Services or actions that the Tenderer were required to provide as part of the core contract requirements cannot also be counted as social value.

Any Social Value offer that did not provide benefits to the communities within this definition would be excluded in the evaluation. Equally, Tenderers were instructed not to include elements of spend in their proposals which are expected to occur outside this definition (for example, central overheads or head office costs where the Tenderer's head office is outside the local area as defined).

Commitments had to be completed in full for all of the measures within the calculator template, where the commitment is zero please ensure that a zero is placed in the appropriate cell.

When making social value commitments Tenderers had to ensure that they described how they were intending to deliver the commitments in the appropriate cell.

It was important that Tenderers were confident of their ability to deliver Social Value proposals made, as the Council would contractualise these commitments with the successful Tenderer which will then be monitored and reported on periodically.

Please note: Should the proposed social value commitment be deemed unrealistic and not proportional based on the pricing provided, then the Tender would be disqualified.

Social Value Quantitative Assessment

The Quantitative assessment is based on the total £SV submitted by the Tenderer through using the TOMs Procurement Calculator. The Tenderer submitting the highest social value offer would score full marks for this section. The Tenderer's Total £SV was evaluated using the scoring system below:

$$\left(\frac{\text{Tenderer's Total Social Value Commitment (£)}}{\text{Highest Total Social Value Commitment (£)}} \right) \times \text{Weighting} = \text{Weighted score}$$

Social Value Qualitative Assessment

The qualitative assessment was based on the method statement in column P of the TOMs Procurement Calculator. Commitments were evaluated in a similar way to the way in which quality in the rest of the contract is evaluated, in line with the scoring matrix above.

Total Evaluation Methodology (100% of weighting)

To determine the overall total score and corresponding ranking for each Tenderer, it was necessary to add the total weighted price points score with the total weighted non-price points.

5. SUMMARY OF EVALUATION

The Further Competition was published electronically via, The Supplying the South West Portal on 27th September 2020 with a Tender submission date of 9th October 2020.

The received Tender submissions, were evaluated in accordance with the overall evaluation strategy set out above, and were independently evaluated by Council Officers, all of whom had the appropriate skills and experience, in order to ensure transparency and robustness in the process.

In order to ensure fairness of the process the evaluation of Quality and Price were split, with Price information being held back from the Quality evaluators.

The evaluation process and following moderation of the scores concluded on 16th October 2020.

The resulting quality and financial scores are contained in the confidential paper.

6. FINANCIAL IMPLICATIONS

Financial provision has been made for this contract within the project budget. Details of the contractual pricing are contained in the confidential paper.

7. RECOMMENDATIONS

It is recommended that a contract be awarded to the highest scoring Tenderer for the Provision of Garden Waste Plastic 2-Wheeled Bins. Details of the successful Tenderer have been set out in the confidential paper.

This award will be provisional and subject to the receipt from the highest scoring Tenderer of the satisfactory self-certification documents detailed in the suitability assessment questionnaire.

In the event the highest scoring Tenderer cannot provide the necessary documentation, the Council reserves the right to award the contract to the second highest scoring Tenderer.

8. APPROVAL

AUTHOR:

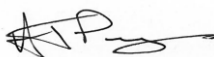


Signature:

Print Name:Katrina Houghton.....

Date:16.10.20.....

AUTHORISED SIGNATORY:



Signature:

Print Name:Anthony Payne.....

Position:Strategic Director for Place.....

Date:23 October 2020.....

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The following relates to exempt or confidential matters (Para(s) 3 of Part 1, Schedule 12A of the Local Govt Act 1972). Any breach of confidentiality could prejudice the Council/person/body concerned & might amount to a breach of the councillors /employees codes of conduct.

Document is Restricted

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