

DELEGATED POWERS REPORT NO.

2078

SUBJECT: Authorisation to appoint Cromwell Polythene Limited for the supply of biodegradable liners for food waste caddies

Control sheet

All of the following actions MUST be completed at each stage of the process and the signed and dated report MUST be passed to the Governance Service for publishing

All reports		
1. Governance Service receive draft report	Name of GSO Date	DPR 24/06/2013
2. Governance Service cleared draft report as being constitutionally appropriate	Name of GSO Date	Maria Lugangira 25/06/2013
3. Finance clearance obtained <i>(report author to complete)</i>	Name of Fin. officer Date	Michael Millar 26/06/2013
4. Staff and other resources issues clearance obtained <i>(report author to complete)</i>	Name of Res. officer Date	NA
5. Strategic Procurement clearance obtained <i>(report author to complete)</i>	Name of SPO Date	Lesley Meeks 27/06/2013
6. Legal clearance obtained from <i>(report author to complete)</i>	Name of Legal officer Date	Stephen Dorrian 25/06/2013
7. Policy & Partnerships clearance obtained <i>(report author to complete)</i>	Name of P&P officer Date	Andrew Nathan 24/06/2013
8. Equalities & Diversity clearance obtained <i>(report author to complete)</i>	Name of officer Date	Andrew Nathan 24/06/2013
9. The above process has been checked and verified by Director, Head of Service or Deputy	Name Date	Lynn Bishop 28/06/2013
10. Signed & dated report, <u>scanned or hard copy</u> received by Governance Service for publishing	Name of GSO Date	Maria Lugangira 28/06/2013
11. Report published by Governance Service to website	Name of GSO Date	Maria Lugangira 26/07/2013
12. Head of Service informed report is published	Name of GSO Date	Maria Lugangira 26/07/2013
Key decisions only:		
13. Expiry of call-in period	Date	N/A
14. Report circulated for call-in purposes to Business Management OSC members & copied to Cabinet Members & Head of Service	Name of GSO Date	

1 RELEVANT PREVIOUS DECISIONS

- 1.1 Cabinet, 4 April 2012, Decision Item 11, approved Waste Collection Options for the Future.
- 1.2 Cabinet Resources Committee, 7 November 2012, Decision Item 5, approved the Outline Business Case and Options Appraisal for Waste and Street Scene Services.
- 1.3 Cabinet Resources Committee, 18 April 2013, Decision Item 13, approved Waste Collections for the Future.

2 CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 2.1 This decision supports the following priorities in the Corporate Plan 2013-2016:

To maintain a well-designed, attractive and accessible place, with sustainable infrastructure across the borough. Barnet's waste and recycling service is highly regarded, with 82 per cent of residents satisfied with the service. We have committed to providing a weekly bin collection. By adding weekly food waste collection and a mixed recycling collection this October, we aim to make it easier for residents to recycle, reducing the amount of waste sent to landfill and cutting costs.

3 RISK MANAGEMENT ISSUES

- 3.1 Failure to purchase these liners, which are a key component of the council's implementation of the New Waste Offer, would present a serious risk to the successful implementation and therefore the realisation of the expected financial and non-financial benefits.
- 3.2 The implementation of these new initiatives mitigates significant financial risks for the council as they are designed to increase recycling rates and therefore are anticipated to reduce the amount of residual waste that the council has to send for disposal.
- 3.3 The costs for treating residual waste are increasing, and forecasts show that these are likely to increase substantially, as beyond 2016 the council will no longer have use of a cheap waste disposal outlet in the form of the Edmonton incinerator as it is projected to be coming to the end of its life.
- 3.4 The North London Waste Authority (NLWA) procurement, the National Waste Strategy 2007 and European legislation (the Waste Framework Directive) seek to achieve a 50% recycling rate by 2020. There are currently no financial penalties for non-achievement of this target. However the more that is recycled and composted, the less the council has to pay for waste disposal.
- 3.5 Over the last four years, Barnet has made only incremental improvements in recycling performance and waste reduction. Barnet is currently 15th out of 33

London Boroughs in relation to the percentage of its household waste that is recycled, reused or composted. Barnet is currently 27th out of 33 in relation to the amount of household waste per household that is sent for disposal. Other authorities are overtaking Barnet in performance terms and projections show that without significant changes to our services there will be no step change in our performance. This is therefore a reputational risk to the Council. In order to mitigate this risk it is essential that the planned communications activity is delivered successfully and achieves its expected outcomes.

- 3.6 Risks associated with the delivery of the project are managed and reported in accordance with corporate risk and project management processes and will also be reported through existing democratic processes. A formal Programme Board is in place chaired by the Chief Operating Officer.

4 EQUALITIES AND DIVERSITY ISSUES

- 4.1 Pursuant to section 149 of the Equality Act, 2010, the council has a public sector duty to have due regard to eliminating unlawful discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; advancing equality of opportunity between those with a protected characteristic and those without; promoting good relations between those with a protected characteristic and those without. The, relevant, 'protected characteristics' are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. It also covers marriage and civil partnership with regard to elimination discrimination.
- 4.2 The Corporate Plan (2013-2016) sets out a commitment that policies, functions and activities will be analysed for their equalities and diversity risks.
- 4.3 Any equalities and diversity Issues associated with these changes were addressed in the 4 April 2012 Cabinet Paper. It was not, and still is not envisaged that any option will result in a detrimental effect on any resident(s) with 'protected characteristics', over and above the effect on those without 'protected characteristics', due to the universal nature of the service being provided. The challenge to the council is to ensure that the accompanying communications plan includes both targeted and general messaging mechanisms to ensure that people with 'protected characteristics' understand the proposed options as well as those from non-protected groups. The council understands its obligation to pay due regard to the Equality Act 2010 and will do everything necessary to ensure this duty is met throughout the process. The council remains committed to providing an efficient, user friendly and cost-effective service for the benefit of all residents.

5 USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)

- 5.1 Delivery of the new waste services from October 2014 necessitates the procurement of up to one hundred and fifty thousand (150,000) rolls of biodegradable food waste caddy liners, each roll containing ten (10) liners.
- 5.2 The council invited six (6) potential suppliers to participate in a competition via the Supply4London procurement portal. The published evaluation criteria stated that the contract award would be based upon the lowest cost tender.
- 5.3 Four (4) bidders submitted a compliant tender met the council's quality requirements by the submission deadline including Cromwell Polythene Limited. Each tender submission included a completed Price Schedule that comprised of 'Specified' and 'Provisional' Items. The Tendered Sum from each completed Price Schedule was ranked according to the lowest cost as detailed in Table 1 below:

Table 1 - Evaluation of Appendix 5 - Price Schedule

Rank	Tenderer	Tendered Sum
1	Cromwell Polythene Limited	£26,343
2	T4	£32,295
3	T3	£33,714
4	T1	£39,075

- 5.4 The identity of Tenderers T1, T3 and T4 are given in the accompanying exempt report.
- 5.5 The total value of the tender submitted by Cromwell Polythene Limited was twenty six thousand three hundred and forty three pounds (£26,343). Contract payments will be made in accordance with the terms and conditions of the contract.
- 5.6 This purchase is provided for within the council's budgets as follows:

Weekly Collections Support Scheme Grant	£26,343
Total	£26,343

6 LEGAL ISSUES

- 6.1 The council has conducted a competition via the Supply4London website and received four (4) competitive tenders that have been evaluated in accordance with the published evaluation criteria.
- 6.2 In accordance with the Council's Contract Procedure Rules, there will be a need for the parties to execute a formal contract for the supply of biodegradable liners for food waste caddies. HB Public Law will advise on the contract terms.

7 CONSTITUTIONAL POWERS

7.1 Constitution – Contract Procedure Rules section 17 Appendix 1 Table A - Authorisation and Acceptance Thresholds, authorise an Approved Officer to accept tenders of between £25,001 and £173,934 where the procurement process has been previously authorised and where a minimum of two competitive written quotations have been received. As set out at paragraph 1 above, this procurement process was approved by Cabinet Resources Committee through the reports of both 4 April 2012 and 18 April 2013.

8 BACKGROUND INFORMATION

8.1 In approving Waste Collections for the Future in April 2012 Cabinet agreed to the following model for household waste collection in Barnet:

8.1.1 Residual waste collection to remain as weekly collections;

8.1.2 Dry recycling to move to co-mingled and to be collected weekly;

8.1.3 Kitchen waste to be collected in an external caddy on a weekly basis (this is currently co-mingled with Garden Waste); and

8.1.4 Garden waste to be collected fortnightly (currently this is collected weekly).

8.2 The implementation of this changed methodology for household collection requires the procurement of a number of items to be distributed to households in Barnet, of which Biodegradable Liners for Food Waste Caddies are one such item.

9 LIST OF BACKGROUND PAPERS

9.1 None

10 OFFICER'S DECISION

10.1 I authorise the following action:

10.2 That, subject to the completion of all necessary legal and other documentation, the quotation from Cromwell Polythene Limited for the supply of biodegradable liners for food waste caddies, be accepted.

Signed

Lynn Bishop

StreetScene Director

Date

28/06/2013
