

CABINET

Decision Notices and Minutes of a meeting of the Cabinet held on Thursday, 3rd October, 2013 at 5.15 p.m. at the AFC Telford Learning Centre, Haybridge Road, Wellington, Telford

PUBLISHED ON FRIDAY, 4th OCTOBER, 2013

(DEADLINE FOR CALL-IN: WEDNESDAY, 9th OCTOBER, 2013)

PRESENT: Councillor K.S. Sahota (Leader and Chair), E.A. Clare, S. Davies, A.R.H. England, W.A.M. McClements, R.A. Overton, C.F. Smith and P.R. Watling

ALSO PRESENT: Councillor A.J. Eade (Conservative Group Leader) and W.L. Tomlinson (Liberal Democrat/Independent Group Leader)

CB-41 APOLOGIES FOR ABSENCE

Councillor H. Rhodes

CB-42 DECLARATIONS OF INTEREST

None

CB-43 WASTE MANAGEMENT SERVICES CONTRACT AWARD

Key Decision identified as **Waste Service Management Contract** in the Notice of Key Decisions published on 19 September 2013. In accordance with Regulation 10 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the Chair of the Housing, Economy & Infrastructure Scrutiny Committee was informed of the intention to make a key decision where compliance with Regulation 9 (ie: providing at least 28 days notice) was impracticable.

Councillor S. Davies, Cabinet Member: Neighbourhood Services, Employment & Skills, presented the report of the Assistant Director: Neighbourhood & Leisure Services, which provided information on the procurement process to replace waste management contracts, which would expire between 2014 and 2019, with a single contract; and, based on that information, to confirm the selection of a Preferred Bidder for the contract. It was not possible at this stage to provide the name of the Preferred Bidder or detail their proposed solution. He thanked all the procurement team and Assistant Directors who had worked on the project, as well as the members of the Housing, Economy & Infrastructure Scrutiny Committee for their input.

The contract consisted of two phases:

Phase 1 from April 2014 – recycling kerbside collection and treatment and management service, and residual waste treatment/disposal service;
Phase 2 from April 2019 – green and residual waste collection services, green treatment and management of Council owned CRCs.

To obtain best value, the contract period had been reconfigured slightly into a period of 24 years, with a one year option for the Council to extend. The Phase 1 services would commence on 1 April 2014 and continue (subject to early termination) for the full 24 years. Phase 2 services would commence on 1 April 2019 and continue (subject to early termination) for 19 years – with the result that all the services will be co-terminus.

The report detailed the different stages of the procurement process since the publication of the Contract Notice on 6 July 2012. Two final bids (from Bidder Y and Bidder Z) had been submitted, and had been evaluated against the published Evaluation Model – a copy of which was appended to the report. Both bidders' proposals would generate savings for the Council, and both would offer an enhanced service to that currently provided.

It was reported that in order to consider Appendix 2 of the report – the Evaluation Outcome (Scores) – it would be necessary to go into private session. It was therefore moved, seconded and

RESOLVED - that the public and press be excluded from the meeting for consideration of Appendix 2 of the report on the grounds that it may involve the disclosure of information relating to the financial or business affairs of any particular person (including the authority holding that information) as defined in paragraph 3 of Schedule 12A of the Local Government Act 1972.

Appendix 2 of the report was circulated to Members, and the Waste Procurement Project Manager advised that the bids had been subject to detailed evaluation for service quality, price and legal & commercial criteria, and weightings applied to each element. She explained each of the detailed criteria in Appendix 2, and the scores that had been assigned to each Bidder in the Evaluation Model. All the scores were added together in accordance with their weightings, and the total weighted scores for each bid comparatively ranked. The highest scoring bid, which represented the Most Economically Advantageous Tender, was Bidder Y. Questions about Appendix 2 were answered.

The public and press were re-admitted to the meeting, and the report was debated.

During the open session, the Cabinet Member advised that Bidders had been able to submit their own solutions to meeting the specification, and it was clear from the relevant scores in Appendix 2 that Bidder Y had submitted a solution that was at least as good or better than the current service. However, because of the complex commercial and legal rules for the procurement process, it was not possible to provide detailed responses about the service at this stage. However, once all the remaining legal processes had been

completed (which was expected to be in about four weeks time) details of the successful bid and bidder would be released, and there would be a full publicity and engagement process. In response to questions regarding the length of the contract, the Cabinet Member: Finance & Enterprise stated that affordability was key, and it had been established early in the procurement process that a 20 plus year contract would be the optimum length in order to reflect the long term investment needed and to obtain the necessary value for money.

Cabinet Members were satisfied that there had been a full and robust procurement and evaluation process for the Waste Management Services Contract Award, and therefore the outcome of the evaluation could be fully supported.

RESOLVED –

- (a) that on the basis of the information in the report and the Evaluation Outcome (Scores) in Appendix 2, Bidder Y be selected as the Preferred Bidder;**
- (b) that authority be delegated to the Assistant Director: Neighbourhood & Leisure Services to notify both Bidders of the outcome of the procurement process;**
- (c) that, subject to (d) below, authority be delegated to the Assistant Director: Neighbourhood & Leisure Services to work with the Preferred Bidder to award the Contract as detailed within the report and in accordance with the reconfigured contract period;**
- (d) that authority be delegated to the Assistant Director: Neighbourhood & Leisure Services, in consultation with the Cabinet Member: Neighbourhood Services, Employment & Skills and the Cabinet Member: Finance & Enterprise, to negotiate and finalise contractual terms with the Preferred Bidder;**
- (e) that authority be delegated to the Assistant Director: Law, Democracy & Public Protection, to execute any documents necessary to give effect to the above resolutions.**

The meeting ended at 6.02pm.

Signed for the purposes of the Decision Notices

**Jonathan Eatough
Assistant Director: Law, Democracy & Public Protection
Date: 4 October 2013**

Signed:

Date: