

**Procurement Title**

The Supply of Grocery, Soft Drinks and Frozen Food Products to Lancashire County Council Establishments

**Procurement Option**

OJEU – Open Tender Procedure

The use of an external 3<sup>rd</sup> party framework has been discounted for the supply of these contracts. Under the provision of a food distribution network (approved by Cabinet in September 2018), a strategy was agreed to appoint a main distributor so that the individual supply of food groups could be tendered in such a way as to encourage bids from local SME providers. The use of a 3<sup>rd</sup> party framework would not support this strategy as they restrict the potential number of suppliers who are able to bid for these contracts and in the majority of cases, are limited to large-scale national suppliers.

**New or Existing Provision**

Existing

**Estimated Contract Value and Funding Arrangements**

Approximately £5 million to £6 million per annum

Estimated Total Contract Value: £20 million to £24 million

Approximately 85% - 90% will be funded by Schools & Residential Care Catering (Facilities Management), 10% - 15% across the rest of the county council including, but not limited to: Facilities Management Services, CYP and ACS.

**Contract Duration**

Initial period of 24 months with an option to extend the contract beyond the initial term, by any number of agreed periods, to a maximum of a further 24 months.

**Lotting**

Lot 1	Organic Goods, Bread Mixes and Gluten Free Mixes
Lot 2	Tinned Tuna
Lot 3	Baked Beans
Lot 4	Tinned Tomatoes and Tomato Puree
Lot 5	Butter and Margarine
Lot 6	Frozen White Fish
Lot 7	Frozen Potatoes and Vegetables
Lot 8	Soft Drinks and Confectionery
Lot 9	Miscellaneous Groceries
Lot 10	Miscellaneous Frozen Food

**Evaluation – Applicable to each Lot**

Quality Criteria 40%

Financial Criteria 60%

Social Value will account for 10% of the quality criteria focusing on environmental sustainability, supporting themed events in schools, promoting healthy eating in schools, and promoting training and employment opportunities for the people of Lancashire, particularly, those from vulnerable groups i.e. looked after children.

The procurement strategy will also take into consideration supplier procedures and contingency plans in the event of a localised spike in Covid-19 cases throughout Lancashire to try and anticipate and prevent service disruption, wherever feasible.

### **Contract Detail**

The current contracts for groceries, frozen foods and soft drinks (product groups detailed within the Lotting section of this report) have been in place since 1<sup>st</sup> October 2017 and are due to expire on the 31<sup>st</sup> March 2021.

In September 2018, Cabinet approved the commencement of a procurement exercise to identify a single provider to operate a food distribution network (including supply of Fresh Fruit and Vegetables). The contract commenced on the 1<sup>st</sup> May 2019. Further to this, separate report(s) are to be submitted outlining the procurement approach for the supply of individual food contracts into the nominated distributor as and when required.

The successful supplier for each individual Lot will be responsible for the supply only of the product groups listed within this report, into the council's nominated distributor. These supply contracts will then commence on 1<sup>st</sup> April 2021. The nominated distributor will deliver these products to over 550 council units, the majority of these being schools and colleges.

The aim of this strategy is to encourage bids from local SME's that do not have the infrastructure to distribute their products to the number of units stated above and at the frequency required, across the entire Lancashire region.

There are no restrictions for the number of Lots suppliers can bid for and subsequently no restrictions for the number lots that can be awarded to any individual supplier.

### **EVALUATION**

The evaluation procedure will place emphasis on quality in terms of contract service and product offering, which aims to support the county council's catering services key developments and priorities, including:

- Positively influence the health and wellbeing of Lancashire's children, young people and older people
- Continuous growth of primary and secondary school take up across Lancashire and subsequent growth of the School and Residential Care Catering Service
- Continual development of product range and food standards
- Promotion of local businesses, suppliers and employees where feasible

- Maintaining the silver standard catering mark for the School and Residential Care Catering Service
- Environmental impact
- Value for money

**Procurement Title**

Grounds Maintenance Services – Dynamic Purchasing System

**Procurement Option**

OJEU – Dynamic Purchasing System (DPS) compliant with the Public Contract Regulations 2015.

**New or Existing Provision**

Existing – currently operating as numerous standalone contracts with various end dates within the next 4 years.

**Estimated Contract Value and Funding Arrangements**

The approximate annual value of contracts awarded each year under the DPS is £154,000. Each contract will have an average duration of four years. Therefore the total value of the DPS over its initial four year term, including the call-off contracts that go beyond the four year term, is approximately £2,464,000:

DPS four year term				Contracts expiring beyond DPS term		
Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7
154000	154000	154000	154000			
	154000	154000	154000	154000		
		154000	154000	154000	154000	
			154000	154000	154000	154000

There will be an option to extend the DPS term by a further period of two years. Exercising this extension in full means that a further estimated £1,232,000 would be added to the overall value of the DPS.

The Grounds Maintenance services are not drawn from a Council budget. The DPS may be accessed by educational and other establishments as part of a traded service, therefore these customers in each case will pay for the delivery of the services. The Council receives a net income overall for providing this traded service, as customers pay a fee to the Council in order to access the contracts and contract management by the Design and Construction Service.

There is no commitment or guarantee as to the value of work and/or number of contracts to be placed with the suppliers appointed to the DPS.

**Contract Duration**

The DPS will commence on or after 01/04/2021 and will be in place for an initial period of four years subject to no early termination by the Council. There will be an option to extend the DPS by a further period of two years.

**Categories**

N/A

**Evaluation**

A DPS has two stages of evaluation:

Stage One: Potential suppliers may submit applications to join the DPS. The application process assesses a potential supplier against a series of exclusion and selection criteria in the form of a supplier selection questionnaire (SQ). Under the

Public Contracts Regulations 2015, every supplier that passes the SQ must be admitted onto the DPS where they meet the criteria.

Stage Two: This stage is the evaluation of mini-competitions for specific projects or customers.

All suppliers that pass Stage One are invited to submit a bid for mini-competitions as and when they are tendered. The Council will evaluate all mini-competitions according to 'most economically advantageous tender' (MEAT) criteria. This may be on the basis of lowest price or on the basis of a price/quality ratio where it is deemed necessary to do so.

Due to the nature of the supply base (many SMEs) and the nature of the services (the majority of individual contracts are valued between £1,000-10,000 per annum), social value is not likely to be incorporated into the evaluation.

### **Contract Detail**

The Council's Design & Construction Service provides a service to many educational establishments and Fire & Rescue Services throughout Lancashire. This may expand to the Police in the future. The service includes conducting procurement activity for these clients, putting in place contracts for services, and then managing these contracts on the client's behalf.

Grounds maintenance contracts are procured every year on behalf of clients. The number of clients each year is approximately 80-120 and each client will have their own contract. The process creates a large administrative burden on all parties involved, as each tender involves numerous documents, advertisements, time pressures, and repetitive evaluation procedures.

A DPS will mitigate many of these issues by reducing the amount of paperwork for each tender for all parties. Resource freed up by the Design & Construction and Procurement Services may be used to further develop the overall service offer (for example, working more closely with a number of Grounds Maintenance suppliers to enhance the quality of services).

The intention is to establish a DPS with a good number of suppliers, including local SMEs, who will be easily able to join the DPS and bid for Grounds Maintenance contracts as and when they are advertised.

### **Review of Third Party Frameworks and DPS Agreements**

There are limited number of third party agreements with Grounds Maintenance Services available. However, the use of a third party agreements may exclude the majority of the local suppliers who currently deliver services to clients. The DPS is open for suppliers to join at any point and is simple to join, thereby encouraging the involvement of SMEs and new companies. In addition, the use of third party agreements is not generally compatible with Design and Construction's traded service offer.

**Procurement Title:**

The Provision of Services for the Collection, Transportation, Treatment and Recovery of Waste Electrical & Electronic Equipment (WEEE) and Household Batteries

**Procurement Option:**

Concession Contract

**New or Existing Provision:**

Existing. Current contract expires on 31/03/2021 with no further extensions available.

**Estimated Annual Contract Value and Funding Arrangements:**

The successful tenderer will provide the services under a cost neutral operation and will have taken into consideration all costs or fees whatsoever associated with its management and delivery of the services required under the specifications of the contract.

For the avoidance of doubt the council shall incur no costs whatsoever for the provision of the services under this Agreement.

**Contract Duration:**

The agreement shall commence on 1<sup>st</sup> April 2021 and shall continue until 31 March 2024.

The council may extend this Agreement from the end of the Contract Period on an annual basis for further periods of 12 Months (or part thereof) up to a maximum of two years as follows:

1 April 2024 and ending no later than 31 March 2025; and

1 April 2025 and ending no later than 31 March 2026.

**Lotting:**

N/A. In order to ensure consistent countywide service delivery, the contract will not be lotted.

**Evaluation:**

The award of the contract is on the Most Economically Advantageous Tender (MEAT). Tenders will be evaluated in 2 stages.

Stage 1: Acceptance or rejection of economic operator based on business standing, financial standing, technical and professional ability.

Stage 2: Evaluation against the specified award criteria evaluated on the basis of 100% quality criteria (of which social value weighs 10%)

**Contract Detail:**

The contract is for the collection, transportation, treatment, recovery and, where applicable, environmentally sound disposal services for the WEEE which will be divided into the following WEEE Streams:

- Large household appliances;
- Cooling equipment;
- Display equipment i.e. Cathode ray tubes, liquid-crystal displays and plasma displays (including televisions and monitors);
- Lamps (including filament bulbs on certain sites as advised by the council).
- Household Batteries
- Printer Cartridges
- All other WEEE.

WEEE shall be collected from Designated Collection Facilities (DCFs), these being Lancashire County Council's 15 Household Waste Recycling Centres, 2 Waste

Transfer Stations, and 1 Community Recycling & Re-Use Centre. Local Collection Authority District Depots also act as a DCF.

Collection and disposal of household batteries is also required from battery collection points throughout the county, such as primary schools, secondary schools, and libraries.

The successful tenderer will be required, as a minimum:

1. to provide all plant and resources necessary for the loading of WEEE onto transport;
2. to provide transportation of all WEEE collected from DCFs to appropriate treatment/disposal facilities;
3. to comply with all duty of care provisions;
4. to issue waste transfer notes and hazardous waste consignment notes;
5. processing and treatment of all WEEE collected from DCFs at authorised outlets
6. to assume responsibility for all costs associated with the reporting of waste movements including fees payable to the Environment Agency as consignee or consignor; and
7. to undertake end-products' marketing or use as well as the disposal of residual waste in accordance with prevailing environmental legislation and best practice.