

**REPORT FROM: CORPORATE DIRECTOR**

**TO: POLICY AND RESOURCES COMMITTEE**

**DATE: 30<sup>TH</sup> JUNE, 2022**

**Report Author: Lynne Rowland (Committee Administrator)**

**Tel. No: 01282 661648**

**E-mail: [lynne.rowland@pendle.gov.uk](mailto:lynne.rowland@pendle.gov.uk)**

## **FOR INFORMATION**

### **TENDERS AND OTHER CONTRACT RELATED MATTERS**

#### **PURPOSE OF REPORT**

To report, for information, tenders which have been received and accepted and to report any exemptions from the requirements of the Contract Procedure Rules.

#### **ISSUE**

##### **Award of Contracts**

1. Following the relevant procurement process, tenders have been received and accepted in relation to the following projects:-

**(a) Improvements to Back 58-116 Brunswick Street, Nelson – Phase 3-1 2021 (Re-Tender)**

<b>Tenderer</b>	<b>Tender Figure (£)</b>
Monk of Colne Limited	29,308.73
Colin Braithwaite Excavators Limited	34,319.01
A&G Landscapes & Groundworks Limited	34,714.02
O'Callaghan Limited	36,963.20
Brewers Contractors	No tender returned

The contract has been awarded to Monk of Colne Limited and will be funded by Nelson Town Council.

**(b) Improvements to Back 70-108 Barkerhouse Road, Nelson (Re-Tender)**

<b>Tenderer</b>	<b>Tender Figure (£)</b>
Monk of Colne Limited	20,069.06
Colin Braithwaite Excavators Limited	21,440.70
A&G Landscapes & Groundworks Limited	22,278.33
O'Callaghan Limited	24,784.91
Brewers Contractors	No tender returned

The contract has been awarded to Monk of Colne Limited and will be funded by Nelson Town Council.

**(c) Improvements to Cuerden Cycleway**

<b>Tenderer</b>	<b>Tender Figure (£)</b>
A&G Landscapes & Groundworks Limited	131,075.66
Brewers Contractors	148,308.71
Colin Braithwaite Excavators Limited	152,758.37
O'Callaghan Limited	175,428.62
Monk of Colne Limited	Opted out

The contract has been awarded to A&G Landscapes & Groundworks Limited and will be funded by Lancashire County Council.

**(d) Provision of Enforcement Services to tackle litter, dog fouling and public space protection contraventions**

Tenders were invited in May for the appointment of an enforcement provider following the pending expiry of the current contract with District Enforcement in July this year.

In summary the tender specification requires the provider:

- to manage all actions relating to relevant breaches
- to undertake patrols in specified areas on a seven day basis
- to provide suitably qualified and fully trained staff
- to deliver educational visits to schools and attendances at various litter picking and volunteer events
- to deal in a sensitive manner with all complaints and appeals in connection with the issue of fixed penalty notices (FPNs)
- to maintain performance information covering all aspects of the service and to liaise as necessary with Environmental Services staff
- to adhere to PACE, Data Protection and Health and Safety legislation

The contract is for 3 years subject to review every 12 months.

In drawing up the specification and carrying out the evaluation of tenders due regard was had to the DEFRA Effective Enforcement Code of Practice for Litter and Refuse dated September 2019 and updated February 2022.

The Evaluation Criteria had two elements – Quality and Financial Arrangements each with a weighting of 50%.

The Quality Criteria with category sub weightings were:

- Management and delivery of educational and social value programmes (25%)
- Health and safety (25%)
- Contract management (12.5%)
- Communication with client (12.5%)
- Suitability and development of staff (12.5%)
- Compliance with Data Protection (12.5%)

The Financial Arrangements were required to be based on a full year of uninterrupted enforcement activity with a projection of the income likely to be accruing from the issue of FPNs, leading to a reliable service representing value for money. This was to be accompanied with a proposal for sharing of income with the Council.

Three tenders were received from:

**Waste Investigations Support and Enforcement Limited**

**District Enforcement Limited**

**National Enforcement Solutions Limited**

The outcome of the evaluation was that District Enforcement Limited was overall the highest scorer. In accordance with Contract Procedure Rules their tender has been accepted and the contract awarded.

Whilst the objective of enforcement is never to raise revenue the Council has a modest budget of £12,700 income which is used to offset the cost of keeping land clear of litter and refuse, and dealing with fly tipping, fly posting and graffiti as permitted by the relevant legislation. The District Enforcement tender is expected to produce annual income of around £62,000 which is based on the assumed pre pandemic level of FPNs issued.

## **IMPLICATIONS**

<b>Policy:</b>	None arising directly from the report.
<b>Financial:</b>	The financial implications are as provided in the report. Assessment of awarded tender against budget provision available is part of the budget tendering exercise.
<b>Legal:</b>	None arising directly from the report.
<b>Risk Management:</b>	None arising directly from the report.
<b>Health and Safety:</b>	None arising directly from the report.
<b>Sustainability:</b>	None arising directly from the report.
<b>Community Safety:</b>	None arising directly from the report.
<b>Equality and Diversity:</b>	None arising directly from the report.
<b>APPENDICES:</b>	None