

ANGUS COUNCIL

INFRASTRUCTURE SERVICES COMMITTEE – 21 APRIL 2009

TRANSPORTATION OF GLASS CULLET

REPORT BY THE DIRECTOR OF INFRASTRUCTURE SERVICES

ABSTRACT:

This report seeks Committee approval for interim arrangements for the transportation of post consumer glass collected by the Council and exemption in terms of Council Financial Regulations until the tendering process and award of contract is in place later this year.

1. RECOMMENDATIONS

1.1 It is recommended that the Committee agree:-

- (I) To approve an exemption from normal tendering requirements on the basis of Financial Regulation 16.22.4(b)(i) as set out at paragraphs 4.2 and 4.3, in order to utilise a specialist contractor for a maximum period of up to 9 months during the period 1 April 2009 to 31 December 2009 for the transporting of post consumer container glass collected by the Council; and
- (II) To approve that the terms set out at paragraph 4.4 be applied in respect of this exemption.

2. INTRODUCTION

2.1 The Council collects something in the order of 3,000 tonnes of post consumer container glass each year through a combination of that taken by the public to recycling centres & points and kerbside collection.

2.2 The Council recently agreed to enter into a contract to supply glass to the plant operated by OI Manufacturing Ltd. The glass is taken for reprocessing to Alloa one of the few plants in Scotland dealing with recycled glass cullet. This necessitates the Council engaging a contractor with the necessary specialist vehicles to transport the glass on an as-needs basis to the plant from various depots in Angus. It was intended that a three year transportation contract be put out to tender once the buyer contract had been approved.

3. CASE FOR EXEMPTION FOR EMERGENCY ARRANGEMENTS FOR TRANSPORT CONTRACTOR

3.1 The tendering process is now underway, however due to the requirement to advertise in Europe there will be the inevitable delay until tender documents can be issued and a transport contract awarded. In the interim it will be necessary for the Council to agree emergency arrangements and approve the appointment of a suitable contractor capable of moving and transporting glass in accordance with the Council's glass handling processes. There is no option in the matter as the Council has limited storage capacity and the Council will wish to take advantage of the income and recycling credit derived from processing the glass through this route.

4. REQUEST FOR EXEMPTION FROM NORMAL TENDERING REQUIREMENTS

4.1 Section 16 of the Council's Financial Regulations requires that where the value of items being procured is beyond Chief Officers' delegated authority, full competitive

advertised tendering, followed by committee approval, is required. Any departure from this requirement must be considered under the Exemptions Scheme contained in the Financial Regulations and which requires the approval of either the Exemption Co-ordinator or the appropriate Committee.

- 4.2 In light of the impending full tender process noted above, it is considered that it is not beneficial to the Council to invest resources in tendering for the contract to cover the period until the full tender process can be concluded. Rather it is considered that it would be more beneficial to the Council to seek to place a short term contract on a quotations basis and this would require an exemption as highlighted at 4.1 above.
- 4.3 Accordingly an exemption from the normal tendering requirements of Section 16 is requested on the basis of Financial Regulation 16.22.4(b)(i) "the contract is required as a matter of urgency to suit the exigencies of the service" and members are asked to approve this exemption.
- 4.4 As required by the terms of the Exemptions Scheme, the Council's Exemption Co-ordinator has been consulted in this regard and has recommended, as allowed by Regulation 16.22.5, that should the exemption request be approved this should be on the basis that Regulation 16.21.2 is applied and that the procurement by quotations route set out therein should be used in this case.

5. FINANCIAL IMPLICATIONS

- 5.1 Work of this nature has previously been undertaken in-house and by various contractors on an ad-hoc or job specific basis. It is not currently possible for the council to undertake this work in-house due to the demand on existing resources and the current lack of a skip trailer needed to maximise on the pay load for each journey. It will not be possible to identify in this report any specific contractor due to the work commitment and market demand which has an effect on the availability of such contractors. However, in order to ensure that Value For Money is achieved by the Council, quotations will be sought from suitable contractors to undertake the work in accordance with Financial Regulation 16.21.2.
- 5.2 The cost of this work for the 9 month period based on rates paid previously is estimated to be in the order of £88,000. This cost can be met from within the Environmental & Consumer Protection Budget in 2009/10.

6. HUMAN RIGHTS IMPLICATIONS

- 6.1 There are no human rights implications arising from this report

7. EQUALITIES IMPLICATIONS

- 7.1 The issues dealt with in this report have been the subject of consideration from an equalities perspective (as required by legislation). An equalities impact assessment is not required.

8. SINGLE OUTCOME AGREEMENT

- 8.1 This report contributes to the following local outcome(s) contained within the Single Outcome Agreement for Angus.
- Resources are used effectively

9. CONSULTATION

- 9.1 The Chief Executive, Director of Corporate Services, Director Neighbourhood Services, Head of Law and Administration, Head of Finance and the Exemption Co-ordinator have been consulted on the contents of this report.

Eric S Lawson
Director of Infrastructure Services

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above report.

E&CP/IW/GK
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