

RECORD OF DECISION MADE UNDER DELEGATED AUTHORITY

*PART 1 – PUBLIC DOCUMENT

SERVICE DIRECTORATE: *RESOURCES*

1. DECISION TAKEN

To enter into a contract with ADSM for the supply of Water and Waste Water Utilities for a range of property assets for a period of two years..

2. DECISION TAKER

Ian Couper, Service Director- Resources

3. DATE DECISION TAKEN:

13th March 2023

4. REASON FOR DECISION

The existing contract for Water & Waste utilities expires on 31st March 2024.

5. ALTERNATIVE OPTIONS CONSIDERED

An alternative framework could have been chosen, but after carrying out a comparison ADSM offered the most competitive rate.

6. CONSULTATION (INCLUDING THE EFFECT ON STAKEHOLDERS, PARTNERS AND THE PUBLIC)

Not applicable.

7. FORWARD PLAN

7.1 This decision is not a key Executive decision and has therefore not been referred to in the Forward Plan.

8. BACKGROUND/ RELEVANT CONSIDERATIONS

8.1 An exercise to compare two frameworks was undertaken.

8.2 The whole sale price of water and waste water represents 94% of the overall cost and is set and regulated by the water undertakers and Ofwat, and therefore not within the supplier's control. Instead, the supplier applies a percentage margin to the wholesale price. Crown Commercial Services have advised that the successful framework supplier (ADSM) has the lowest percentage margin in Europe.

9. LEGAL IMPLICATIONS

9.1

Under 14.6.12 (a) (i) the Service Director- Resources will “manage, direct and control all resources allocated to the Directorate in accordance with the Council’s policies”. Under 14.6.4 (a) (ii) of the Council Constitution, Service Directors have a

general authorisation for “entering into contracts to carry out works and/or for the supply of goods and services within approved budgets”.

9.2 This contract was let in accordance with the Council's Contract and Procurement regulations.

10. FINANCIAL IMPLICATIONS

10.1. *The contract costs for water and waste water utilities are budgeted for within existing revenue budgets.*

10.2. *There are no capital budget implications.*

11. RISK IMPLICATIONS

11.1 There are risks that the wholesale water prices increase. However, Ofwat perform a role to ensure wholesale prices are regulated.

12. EQUALITIES IMPLICATIONS

12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

12.2 There are no equalities implications in relation to this procurement.

13. SOCIAL VALUE IMPLICATIONS

13.1 N/A water utility supply

14. ENVIRONMENTAL IMPLICATIONS

14.1. There are no known Environmental impacts or requirements that apply directly to this decision.

15. HUMAN RESOURCE IMPLICATIONS

15.1 *There are no direct HR implications arising from the award of this contract.*

16. BACKGROUND PAPERS

16.1 *None*

17. APPENDICES

17.1 *None*

NOTIFICATION DATE: 5th April 2024

Signature of Executive Member ConsultedCllr Ian Albert.....

DateMarch 2024.....

Signature of Decision Taker 

Please Note: that *unless urgency provisions apply* EXECUTIVE decisions cannot be implemented until 5 clear working days have elapsed after the decision has been taken to allow for scrutiny call-in.

Call-in does not apply to NON-EXECUTIVE DECISIONS