

# CYNGOR SIR CEREDIGION COUNTY COUNCIL

**Report to:** Cabinet

**Date of meeting:** 3<sup>rd</sup> December 2024

**Title:** All Wales Sustainable Catering Packaging Products Framework

**Purpose of the report:** Tender Acceptance

**For:** Decision

**Cabinet Portfolio and Cabinet Member:**  
Councillor Gareth Davies, Cabinet Member for Finance & Procurement

## 1.0 **Background**

In 2017 the Council's Procurement Team were involved in a project with representatives from Caerphilly, Monmouthshire, Pembrokeshire and Torfaen Councils to assist Welsh Government to produce guidance for the Public Sector on incorporating the aims and objectives of the Wellbeing of Future Generations (Wales) Act 2015 into tender exercises and contracts. As a direct result of that project and in line with Cabinet's desire for a Plastic Free Ceredigion the Procurement Team volunteered to Welsh Government to Lead on a National Framework for Catering Packaging, available for all Welsh Public Sector Organisations including Councils and NHS Wales. Extensive support was provided to the Procurement Team by Welsh Government policy makers and WRAP Cymru, including assistance with the specifications, tender questions and evaluation of responses.

The resulting framework, let in 2020, was designed to help Welsh Public Sector organisations on their journey, transitioning from using plastic products to more sustainable, recyclable or compostable ones. That framework has now reached expiry and this new agreement builds on those earlier aspirations. The new framework reflects that Welsh Public Sector organisations are now much more diligent in ensuring the catering packaging products they purchase are environmentally friendly and sustainable. This change has been supported through positive changes in legislation relating to single use plastic products.

This framework is for an initial period of 3 years with an option to extend for a further 1 year. There are 22 Zones covering each of the local authorities in Wales and a Zone for all NHS Wales Health Boards and Trusts and associated Organisations. There is also an All Wales Zone for organisations with multiple sites across the Nation, making 24 Zones in total. Each of the Zones has 3 Lots as follows:

- Lot 1 Standard Core List
- Lot 2 Small Product Range
- Lot 3 Innovation Partners

There are a large number of products available on the Lot 1 Standard Core List within the Framework including Catering Foil, Clingfilm, Wooden cutlery, Plastic free containers, Plastic free Cups, Recycled Napkins and Paper straws. Lot 2 was designed to make the framework attractive and accessible to small businesses that have some sustainable solutions, but could not supply all of the products required on the Lot 1 Core List. Lot 3 facilitates a partnership approach between Public Sector organisations and the supplier to develop new and bespoke sustainable products. There was a similar Lot on the previous framework and was included again following positive feedback from other organisations.

## **2.0 Estimate**

The estimated value of the framework is £6m. The estimate is based upon previous usage of the current framework and what could be achieved through further take up, with the knowledge that additional potential user organisations have been proactive in the tendering process. The Framework Agreement will be accessible to use by any public sector organisation in Wales, it is therefore difficult to estimate potential use.

Any organisation eligible to use the framework would be able to either make a direct award from the Framework using the 1<sup>st</sup> ranked Supplier in the respective Lot or they could elect to run a mini tender competition (where more than 1 supplier is available on an individual Lot). Organisations may also choose to join together to run a collective mini tender competition.

## **3.0 Procurement Process**

As the estimated value of the contract was above the procurement threshold for supplies, a Contract Notice was published on Sell2Wales and on the Central Government Find a Tender portal, publication number 20240911-000005 (2024/S 000-029122). An Open Tender process, available for all to bid was used and managed through the eTenderWales e-Tendering platform. The tender was published on the 11<sup>th</sup> of September 2024 and closed at Noon on the 11<sup>th</sup> of October 2024.

The e-Tender comprised of three envelopes: a Qualification Envelope a Technical Envelope and a Commercial Envelope. The Qualification Envelope included a standard set of Supplier Qualification questions and a section of bespoke questions relative to the framework, any bid that did not pass the Qualification questions would not pass onto the Technical Envelope of Quality questions. There were Technical Envelopes for each individual lot and the questions therein were tailored to match the objectives of those lots. Lot 1 was evaluated 30% on Quality and 70% on price, and Lot 2 and Lot 3 were both evaluated 100% on Quality (Technical); any bid that did not meet the mandatory 20% quality threshold for each question would not proceed to the Commercial Envelope. The eTenderWales system used provides a full electronic audit trail including requests for clarification sent to bidders and their responses.

#### **4.0 Tender Evaluation**

The evaluation was undertaken by a Panel made up of Officers from Merthyr County Borough Council, Carmarthenshire County Council and NHS Shared Services Partnership, and moderated by a Ceredigion County Council Procurement Category Manager. The Moderator ensured the evaluation process was managed in a consistent and un-biased manner, and facilitated the evaluators reach a single consensus score for each question.

In total 3 companies submitted bids, 2 based in Wales and one in England. Full details of the companies and of the evaluation result are included in Appendix 1, which is EXEMPT information by virtue of Paragraph 14 of Part 4 of Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to information) (Variation) (Wales) Order 2007. This is for procedural legal and procurement reasons as it is not possible to publish the proposed winning tenderers details in advance of the formal decision being made and the appropriate Contract Award Notice being issued following that decision.

#### **5.0 Conclusion**

An Open tender process compliant with the Public Contracts Regulations has been undertaken and all received bids being evaluated in a fair and transparent manner. This is an important National Framework on which Ceredigion has taken the lead. Through the Framework's alignment with the Wellbeing of Future Generations (Wales) Act 2015, it will help achieve a more sustainable Wales through public sector procurement.

#### **Wellbeing of Future Generations:**

**Has an Integrated Impact Assessment been completed? If not, please state why.**

No.

#### **Summary of Integrated Impact Assessment:**

- Long term:** The Framework is for 4 years but feasibly its impact on the reduction of plastic catering packaging will continue beyond the end of the agreement through changed requirements and ways of working.
- Collaboration:** The Framework has come about through collaboration with other Public Sector Organisations and it encourages further collaboration with suppliers by working with them to provide innovative solutions.
- Involvement:** End users have been involved in Framework preparation through working groups and scoping exercises used to formulate the core list of requirements.
- Prevention:** Plastic waste will be reduced, helping to prevent the associated environmental impacts in the future.
- Integration:** The Framework will assist the Public Sector across Wales to implement a similar ethos to Plastic Free Ceredigion and embed it in their organisational policies.

**Recommendation(s):**

**That Cabinet awards places on the All Wales Sustainable Catering Packaging Products Framework, which will run for a period of 3 years (with an option to extend for a further 1 year), as follows:**

| <b>Lot</b> | <b>Purpose</b>                  | <b>Supplier</b>                             | <b>Zone(s)</b>                                      |
|------------|---------------------------------|---|---|
| <b>1</b>   | Standard Requirements Core List | Rank 1 <sup>st</sup> :<br><b>Tenderer 1</b> | All 24 Zones  |
| <b>1</b>   | Standard Requirements Core List | Rank 2 <sup>nd</sup> :<br><b>Tenderer 2</b> | All Zones with the exception of Zones 7, 8, 9 & 22. |
| <b>2</b>   | Small Product Range             | <b>Tenderer 3</b>                           | All 24 Zones  |
| <b>3</b>   | Innovation Partner              | <b>Tenderer 1</b>                           | All 24 Zones  |

**Reasons for decision:**

**An Open tender process compliant with the Public Contracts Regulations has been undertaken and all received bids being evaluated in a fair and transparent manner. This is an important National Framework on which Ceredigion has taken the lead. Through the Framework's alignment with the Wellbeing of Future Generations (Wales) Act 2015, it will help achieve a more sustainable Wales through public sector procurement.**

**Overview and Scrutiny:**

**Policy Framework:**

Procurement Strategy

**Corporate Well-being Objectives:**

Procurement Strategy and Plastic Free Ceredigion Policy

**Finance and Procurement implications:**

**Legal Implications:**

Responsibility for Framework management will sit within the Finance & Procurement - Procurement & Commissioning Team.

The Council would receive a 1% framework rebate fee, based on the national usage of the framework, as a result of its lead authority role.

**Staffing implications:**

None, to be managed within current resources.

**Property / asset implications:**

None

**Risk(s):**

No major risks to highlight.

**Statutory Powers:**

**Background Papers:**

Report to Cabinet on Previous Framework Award

**Appendices:**

EXEMPT INFORMATION: Appendix 1 - All Wales Catering Packaging Framework  
Tender Evaluation

**Corporate Lead Officer:**

Duncan Hall, CLO: Finance & Procurement

**Reporting Officer:**

Jeanette Jones, Corporate Manager: Procurement & Commissioning  
George Ryley, Category Manager, Procurement & Commissioning

**Date:**

18/11/24