annual procurement report

2018 - 2019

Sustainable procurement - making a real difference



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INTRODUCTION

This annual procurement report has been prepared to meet the requirements of the Procurement Reform (Scotland) Act 2014, and throughout we will demonstrate how our performance and achievements during the period meet both the strategic direction set by the organisation, and all relevant procurement legislation. This report covers the period 1st April 2018 to 31st March 2019.

The Commercial and Commissioned Services Strategy 2018-2023 (CCSS) is in place to achieve the strategic procurement ambitions of Scottish Borders Council. By embedding a sustainable approach into the strategy themes and objectives we aim to make a real difference and positively influence the outcome of our procurement activities.

In February 2018 a new Corporate Plan for 2018-2023 called 'Our Plan and Your Part in it' was approved at Council. It sets the direction for the next five years to:

- Make the most of the new opportunities we now have
- Tackle the challenges we face
- Take account of what our Administration want to achieve
- Ensure we respond to national policies and other statutory requirements

The plan is structured across four key themes:

- Our Services for you
- Independent Achieving people
- A Thriving Economy with opportunities for everyone
- Empowered vibrant communities

The first annual review of the CCSS strategy has taken place to ensure the ongoing direction of procurement is in line with the new Our Plan and your Part in it.

PROCUREMENT STRATEGIC THEMES AND OBJECTIVES 2018-2023

Our strategy focuses on a number of key themes and objectives. These aims have underpinned all activity during the year.

	Theme	Objective
1	Support our local market and the economy	to grow the Councils local supply base to increase the proportion of Council spend within the area
2	Deliver sustainable, flexible and innovative procurement	to capture opportunities while balancing priorities
3	Identify effective and efficient procurement policy improvements	to maximise the benefit from the investment in technology through the new ERP system
4	Deliver added value through savings and benefits	to make a positive and measurable impact through procurement opportunities
5	Develop commercial awareness across the organisation	to benefit from a commercial approach to key supplier and partner relationships





Data Sources: Spikes Cavell, Scottish Borders Council ERP system

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OUR APPROACH TO DELIVERY OF AMBITIONS

To meet the objectives of our strategy we actively utilise a variety of best practice tools, mechanisms and approaches. These are supported by operational process and procedures in line with corporate policy. A selection of these methods is noted below. The key is how we use these tools, rather than the tool themselves.

THE PROCUREMENT JOURNEY/PUBLIC CONTRACTS SCOTLAND (PCS)/PCS-TENDER

The use of this suite of national procurement tools facilitates best practice and consistency across all our activity by bringing together each of the steps involved in procurement.

SUSTAINABLE PROCUREMENT DUTY

The Council policy 'Adding Value to the Community through Procurement' has been embedded into the new strategy to ensure every procurement project is considered for additional opportunities such as community benefits. Section 3 of this report summarises the positive outcomes from this policy.

In line with this and other strategy commitments, we have developed a Sustainable Procurement Charter. It can be found <u>here</u> (and at Appendix 1). The charter lays out each of our principles, standards and the expectations for suppliers who would like to work with us.

The Flexible Framework assessment tool is used to measure our overall performance across sustainability and to map our continuous improvement. The prioritisation tool is used to assess and identify the key spend areas with clear opportunity for sustainable benefit and the sustainability test is used to embed identified benefits into the development of frameworks and contracts.

FAIR WORKING PRACTICES

As can be noted from our Sustainable Procurement Charter, the Council has fully adopted the statutory guidance relating to the Selection and Award of Contracts addressing Fair Work Practices (FWP) including the Living Wage.

The Council continues to progress the adoption of the Living Wage Foundation Accreditation.

CONTRACT REGISTER

Our annually updated contract register is available <u>here</u>.

PROCUREMENT & COMMERCIAL IMPROVEMENT PROGRAMME

The national Procurement & Commercial Improvement Programme (PCIP) regime considers four key areas across Leadership & Governance, Development & Tender, Contract and Purchase Processes.

Our second assessment during 2018 resulted in overall total score of 78%, placing us in the top F1 Band and ahead of the Scottish local authority average. Further detail is provided later in this report.

COLLABORATIVE PROCUREMENT

Collaborative frameworks are utilised wherever possible, particularly with our shared service Scotland Excel as can be noted from the image below. Other collaborative opportunities include Crown Commercial Services, ESPO and other public sector based organisations. Regional collaboration is undertaken with neighbouring authorities such as City of Edinburgh, Midlothian and East Lothian Councils.



STAKEHOLDER CONSULTATION AND ENGAGEMENT

During the year, and with a particular focus on our activities across Social Care and Health, a number of external consultations and engagement opportunities have been undertaken.

CASE STUDY

Shared Lives is a regulated form of social care which has historically been used primarily for people with learning disabilities. In Shared Lives, an adult who needs support or accommodation is matched with an approved Shared Lives carer, who supports and includes the individual in their family and community life. Shared Lives can provide long term live in, short breaks and day support options for the local population.

Shared Lives has diversified across the UK to support other groups. However, in the short term, the Council intends to focus on the development of a new service for people with a learning disability identified as their primary support need.

It is the intention to commission this new service through a third party organisation, and so a Prior Information Notice outlining the opportunity was published through Public Contracts Scotland to measure the level of interest from providers in developing a service in the Borders.

As a result of receiving substantial interest, a Providers event was held to share the ambitions of the commissioning service. The team is now taking forward a procurement exercise to source a provider.

SECTION 1 SUMMARY OF REGULATED PROCUREMENTS COMPLETED DURING THE PERIOD

This section provides a record of the regulated procurement processes (any procurement with a value equal to or more than £50,000 for goods and services or £2M for works contracts) completed during 1st January 2018 – 31 March 2019.

Regulated procurement activity is governed by the rules set out within the Procurement Reform (Scotland) Act 2014.

TOTAL NUMBER OF REGULATED PROCUREMENT CONTRACTS AND EXPENDITURE FOR THE PERIOD

Number of Contracts	Category A (Scottish Procurement0	Category B (sectoral)	Category C (Local)	Total Value
78	£6,148,796	£6,238,173	£40,515,290	£52,902,259

Full details relating to each contract is provided in Appendix 2.

SECTION 2 REVIEW OF REGULATED PROCUREMENT COMPLIANCE

OVERALL ASSESSMENT

Compliance of our regulated procurement activities remains in line with the CCSS strategy aims and objectives and is achieved through the robust Council governance across Procurement and Contract Standing Orders and Financial Regulations.

Procurement Services are delivered by a centralised Commercial and Commissioned Services team, which facilitates and enables a strategic corporate approach to all requirements. The team applies our organisational values of fairness, equal treatment and openness to all that we do.

Each regulated procurement activity is reviewed to determine if and how it might contribute to the achievement of the Councils wider objectives. This review is carried out, in full partnership with the contract owner, through the development of a project procurement strategy. The detail contained in this document is used to develop and determine the most appropriate procurement route while considering sustainability and added value opportunities.

This approach creates a consistent, proportionate and effective mechanism to make certain these procurement activities are linked and aligned with the overall corporate and procurement strategic themes and associated objectives.

DELIVERING AGAINST OUR STRATEGIC THEMES -CASE STUDIES

Deliver Sustainable, flexible and innovative procurement

In February 2019, the Council awarded a new contract for Fresh Fruit, Vegetables, Bakery Products and Eggs. This contract requires the supplier to supply and distribute fresh perishable produce to our school kitchens.

During the procurement process, we explored with suppliers whether there was an opportunity to change the frequencies of deliveries to reduce our carbon footprint and the cost of the contract. At the same time, we arranged for our milk requirements to be distributed alongside the fresh produce. As a direct result all our fresh product requirements are received through a single delivery. This creates a more sustainable distribution approach for the supplier and delivers the carbon reduction and financial benefits previously mentioned.

Supporting our local supply market and the economy

During the year, the team developed our first Dynamic Purchasing System (DPS) for Passenger Transport Service contracts. A DPS offers much more flexibility, with new suppliers able to join at any point – a really important benefit to SME's, making procurement more open and transparent and crucially, removing the date based barrier linked with traditional frameworks.

As this was the first DPS to be put in place by the team, supplier engagement, support and training on PCS-T (the online tendering tool) was a crucial element of our preparations. Our membership of the Supplier Development Programme (SDP) proved to be an invaluable resource to help us deliver high quality support and training to suppliers, with the side benefit of improving our own knowledge of how the system can work best.

Another real advantage is that once suppliers have attended these events, they are provided with a step-by-step guide and encouraged to utilise resources on the SDP website. Feedback from the training was very positive and the approach taken made what can seem a daunting process much more straightforward. This partnership between the team and SDP resulted in a positive response to the DPS, fulfilling the key ambition of the procurement exercise



Identify effective and efficient procurement policy and process improvements

Building on the benefits of the Business World Enterprise Resource Planning System, a number of positive policy and process improvements have been delivered during the last financial year. Examples of these are noted below.

With responsibility to manage the supplier master data, the Payments team undertook a review of the data held in the system. As a result, the number of live records requiring management has halved through an archiving process. Separately, the number of supplier groups has reduced to streamline the data for reporting purposes and to support the management of our GDPR obligations.

Our Purchasing team led the P2P input to the Milestone 7 upgrade of the ERP system. This upgrade was a significant learning curve and so has improved our knowledge of the system, all while delivering on the timetable for the project. This team also leads the P2P Business World User Group. This group, from Services right across the Council, meet regularly to share knowledge of their processes and other system related matters.

Alongside these improvements, Purchase Cards were piloted as a replacement for our existing petty cash requirements. Following a successful outcome, these cards are being rolled out across appropriate areas of the Council.

Prepaid cards are also being tested as an alternative payment method for a number of areas of activity where payments are made to individuals.

Deliver Added Value through Savings and Benefits

During the year our team supported the delivery of cashable and other benefits by facilitating access to service based efficiencies through procurement activities.

The total estimated efficiencies delivered through regulated contracts is noted below. It should be noted that this figure relates to procurement related benefits during the period of this report and not to the overall savings made by the organisation through service redesign, specification reviews and other budget efficiencies.

Period	Category A (Scottish Procurement0	Category B (sectoral)	Category C (Local)	Total
2018/2019	£694,797	£133,179	£408,289	£1,236,265

Developing Commercial Awareness across the Organisation

The delivery of contract and supplier management, (CSM), along with enhanced commercial skills, aims to equip the organisation for the future, to mitigate risk, save money and improve outcomes. CSM plays a vital role in the system of governance, risk management and control and is key to unlocking the supply chain value through which performance improvements and efficiency savings can be realised.

During 2018/19 a working group has completed the development of a corporate framework through which CSM will be put in place during 2019/20, supported by a digital tool attached to the ERP system.

The financial and performance benefits from contract management come from a number of areas including;

- Demand management changing the scale and/or scope of the contract (doing less/ fewer things without affecting quality but reducing cost)
- Reducing administrative/invoicing requirements can increase productivity or allow the redirection of resources to other priorities
- Introducing innovation/doing things differently
- Penalising poor performance
- Generating income

This project will also build on the existing commercial skills across the Council to support the delivery of contract management, bringing new and enhanced knowledge to the organisation.



SECTION 3 COMMUNITY BENEFIT SUMMARY

BACKGROUND

The Council has a well-established 'Adding Value to Communities through Procurement Policy'. This can be found on page 12 of the CCS strategy. Community benefit clauses (CBCs) are considered for every contract with an estimated value exceeding £50,000, with a clear process in place to ensure proportionate and appropriate application, particularly for regulated procurement activity. To ensure delivery of this important policy, the role of Sustainability Officer has been in place for a number of years.

Our CBCs include minimum requirements which are developed with consideration of the type, value and duration of the contract. Bidders must meet or, as appropriate, go further than the minimum requirements and explain how they intend to deliver the benefits they commit to. The quality and ambition of the proposed delivery plan is evaluated with the score making up a suitably weighted element of the final outcome.

COLLABORATION

The Scottish Borders Community Planning Partnership Sustainable Procurement group continues to work together to identify area wide collaborative opportunities that may have positive social, economic and environmental benefit outcomes. Close links have also been established with the local social enterprise chamber to identify potential opportunities for local social enterprise.

Our Co-ordinator also chairs a Community Benefit Stakeholder Group. This group brings together representatives from our wider partners including Department of Work and Pensions, Borders College, Skills Development Scotland, Criminal Justice, Economic Development and Employability groups to support seamless delivery of benefits, particularly to key priority groups.

The Construction Sector Work Academy is a joint programme created by partners from this group to help young and unemployed people. This programme was highly commended at the GO Awards Scotland 2018.



The project is delivered through a partnership across JobCentre Plus, the Council and Borders College which enables people to get their Construction Skills Certification Scheme card (CSCS). Community benefit clauses in our contracts facilitate work placements providing valuable experience of working on live construction projects.

Councillor Robin Tatler, Executive Member for Finance noted "This is an ambitious partnership project which has been operating for two years now and has helped a number of young and unemployed people gain work in the construction sector. It is also an excellent example of how Community Benefit clauses in our contracts can support the local community, people and economy and I'd like to congratulate all those involved in the project from across the partners."

Building on the success of this programme, early discussions have taken place with the Scottish Prison Service (SPS) regarding the reintegration of individuals returning from a custodial sentence back to their local community.

The Council aims to use community benefit clauses to identify suitable employment opportunities on local construction projects and the Prison Service will deliver construction training and help individuals acquire their CSCS card prior to release. The SPS will then provide the through care to support the individual back into the community.

COMMUNITY

The Council has introduced a fully managed pool car fleet service. This has delivered significant financial savings and, importantly a reduction in carbon emissions which supports the Council's efforts to meet climate change targets.

The service has now expanded to incorporate community use. As well as business use by SBC and other named partner organisations, it was agreed that minimum of 50% of the pool cars should be made available for community use.

This has provided communities across the Borders with increased access to sustainable, low emission vehicles at times when other public transport is less frequent. SBC's Local Access and Transport Strategy seeks to make the Scottish Borders a more connected place by providing reliable, affordable, convenient transport which enhances accessibility and promotes connected town centres.



SUMMARY OF COMMUNITY BENEFITS DELIVERED DURING THE REPORTING PERIOD

Type of Community Benefit	Number delivered
Employment & Skills Activity	
a) Jobs Created / New Employment Opportunities	11
b) Apprentices – Starts	1
c) Apprentices – Existing	1
d) Apprentices – Completions	
Training and Work Experience	
a) Work Experience Placements (16 plus years)	6
b) Work Experience Placements - Employability programmes	8
Support Activities Education	
a) Education No. of Participants	1096
b) Education Support Activities - Schools	15
Community Engagement Events/Activity	
a) Engagement with Community Groups	12
b) Supporting Community Projects/Events	9
c) Sponsorship Activity	8
d) Donation of materials	2

SECTION 4 SUPPORTED BUSINESS AND THE THIRD SECTOR SUMMARY

The development of every procurement strategy considers the involvement of supported business or social enterprise as a delivery option and, as appropriate, we utilise the Scottish Government Supported Business Framework or consider our local providers for innovative ways of ensuring supported business and social enterprises have the opportunity to work with us.

The Council works closely with Scottish Borders Social Enterprise Chamber (SBSEC) to encourage supported business and other third sector organisations to access Council contract opportunities. This active role allows us to keep members updated with contract and community benefit opportunities.

The Council will continue to look for opportunities for supported businesses, investigating all procurement avenues to identify appropriate providers and matching them with our contract opportunities. Community benefit clauses also provide an opportunity to direct our third party contractors/ suppliers to consider supported businesses in their supply chain.

During this reporting period the Council has engaged with a number of supported businesses through both contract and grant award mechanisms:

- Home Basics (£14,167)
- The Borders Green Team (£11,465)
- Green Works (£4,000)
- The Lady Haig Poppy Factory (£798)

CASE STUDY - HAVEN RECYCLE

The Council has been working with Haven Recycle (a supported business based in Glasgow) on the removal, uplift and recycling of digital devices from our premises. This contract aligns with a replacement printer programme across schools and outlying offices. This project, as part of the wider digital transformation programme and, in a similar way to that already rolled out at Council Headquarters, substantially reduces our printing costs and paper consumption.

Haven Recycle specialise in providing an efficient flexible and secure data wiping and destruction, reuse and recycling of redundant IT and WEEE (Waste Electrical and Electronic Equipment).

Whilst operating as a business, Haven Recycle is first and foremost a social enterprise, their unique attribute being that the majority of the highly skilled and comprehensively trained workforce comprises of disabled and disadvantaged adults. The business activities therefore, address the needs and issues in both social and environmental sustainability.

SECTION 5 FUTURE REGULATED PROCUREMENT SUMMARY

The Procurement Reform (Scotland) Act 2014 states it is mandatory that this annual procurement report includes "a summary of the regulated procurements the authority expects to commence in the next two financial years."

WHY?

Acting in a transparent and proportionate manner is an effective way by which an organisation can encourage competition and achieve better value for money in its procurements. This approach aims to widen participation in the public procurement process providing information to suppliers of future opportunities.

Appendix 4 contains details of the planned regulated procurement activities expected to be undertaken during financial years 2019/20 and 2020/21.

SECTION 6 PERFORMANCE

PROCUREMENT AND COMMERCIAL IMPROVEMENT PROGRAMME

In September 2018, Scotland Excel carried out the Procurement and Commercial Improvement Programme (PCIP) assessment of Scottish Borders Council (SBC). This assessment was focussed on areas of improvement.

Scottish Borders Council received an overall score of 78%, placing it in the F1 Band and well above the Scottish local authority average. This represents an increase of 8% on 2016, and demonstrates our continuous improvement across all areas of the programme

PCIP Section	Positive Practice	Opportunities for Improvement
1. Leadership and Governance	 Modern Apprentice programme and positive pathway for development created Focussed priority through commercial Director role Real time spend and use of Business World 	Maturity in Commercial Improvement
2. Development and Tender	 Strong evidence of ensuring appropriate implementation and exit considerations in Social Care 	 Further embedding of good practice around implementation and exit strategies across portfolio
3. Contract	 Member led Major Contact Governance Group is a positive driver for overall contract management of key suppliers Active and comprehensive monitoring in Social Care Successful implementation of Business World has facilitated tangible improvements and evidence of cultural shift in behaviour and practice Evidence of Demand Management practice in relation to Business Travel, Energy Consumption and Social Care 	 Continued focus on Contract and Supplier Management development Continued focus on Evaluation Criteria
4. Key Purchasing Processes	 Well developed relationship with CGI Establishment of P2P user group to manager continuous improvements 	 Further utilise the functionality and outputs of Business World Continue to benchmark ICT capability in partnership with CGI

The areas of positive practice and opportunities for further improvement are highlighted below.

PAYMENT PERFORMANCE

Our BusinessWorld system P2P processes are now business as usual. As a result of delivering sustained improvements throughout our processes supplier payment performance has increased significantly.

The trend continues upwards and has reached 90% (June 2019). Further analysis of this figure demonstrates that 84% of payments are made in 21 days, 71% in 14 days and 40% paid within 7 days of receipt.

The average 2018/19 performance is noted below:

84% of payments to suppliers made within 30 days

97% of payments to suppliers made electronically

SUSTAINABILITY PERFORMANCE - FLEXIBLE FRAMEWORK ASSESSMENT TOOL

The Scottish Government Flexible Framework assessment tool is used to help ensure we achieve sustainable outcomes by assessing our current level of performance and identifying the actions required to continuously improve our procurement practice in relation to sustainability.

The Councils well established Sustainable Procurement Policy Group has recently realigned to support the delivery of the UN Sustainable Development Goals in a Scottish Borders context. It is planned to revisit the remit to drive adoption of, implementation of and best practice on sustainable development throughout the Council. This will ensure that there is a clear link through the new National Performance Framework (approved by the Scottish Parliament on 24th May 2018) which incorporates the UN Sustainable Development Goals.

Embedding sustainable development into the culture of the organisation will ensure sustainability is a key feature of all buying decisions and support the Councils progress to level 4 of the flexible framework.



Flexible Framework

Annual Report Ownership	Further Information
Approval Process	Scottish Borders Council – Executive Committee August 2019
Led By	Mr David Robertson Chief Financial Officer david.robertson@scotborders.gov.uk
Delivered By	Ms Kathryn Dickson Commercial & Commissioned Services Manager kathryn.dickson@scotborders.gov.uk

GLOSSARY

Collaboration	Working with other partners to undertake joint or shared procurement activities with the intention of obtaining better value through the economies of scale and reduced procurement costs
Commissioning	This is the process used to assess the needs of people in the area, then to design and specify the appropriate services to deliver those needs in a cost effective and value for money way
Community Benefits	These are contract requirements that deliver wider benefits in addition to the core purpose of the contact. These will create added value and will be social, economic or environmental benefits
Contract Management	This is the management of contracts with suppliers or partners. It includes the tasks and activities to ensure the contract is delivered as per the terms. Activity can include the mobilisation of the contract, delivery throughout the term of the contract to expiry and decommissioning. It will also include supplier relationship and performance management
Demand Management	This is a way to reduce costs by managing requirements through many different methods such as forecasting, reducing options, increasing flexibility or considering distribution methods and frequency
Flexible Framework Self- Assessment Tool (FFSAT)	A tool used to assess and measure our level of performance of sustainable procurement and to build an action plan to build on that performance
Goods	Items that we buy include things such as catering provisions, office stationery and supplies, or the materials needed to build roads
КРІ	Key Performance Indicators are measures put in place as part of the contract arrangements. These will be used to help manage delivery of the contract to a pre-agreed set of quality and quantity indicators
P2P	Procurement to Payment - electronic IT systems and processes used to manage the raising of purchase orders through to the payment of supplier invoices
PCIP	The Scottish Government led Procurement and Commercial Improvement Programme and its associated assessment programme
Procurement	This is process of acquiring goods, services and works
Purchasing	The transactional stages of placing orders for goods, services or works, using P2P systems to receipt goods, services or works received and then to pay for them
Regulations	Public Contracts (Scotland) Regulations 2015; Procurement (Scotland) Regulations 2016; The Procurement Reform (Scotland) Act 2014
Services	Services we buy might include care services, professional services to design works projects or repair and maintenance services
Small and Medium Enterprises (SME's)	Firms that employ less than 9 employees are classified as micro businesses, firms that employ less than 50 are classed as small and those employing less than 250 medium
Sustainable Procurement	A process where organisations meet their needs for goods, services and works in a way that achieves value for money on a whole life costs basis and generates benefits, not only for the organisation but for society, the economy and the environment
Third Sector	The group name for a range of organisations such as community groups, charities, voluntary organisations, social enterprises or community interest companies. They can be everything between small and local or large multinational companies or charities
Value for Money	Value for money is the optimum combination of whole life costs quality and sustainability to meet our requirements
Whole Life Costing	Whole life costing takes into account the total cost of a product or service over its lifetime, from concept to disposal and including purchase, hire or lease, maintenance, operation, utilities, training and end of life disposal. It is important to take all of these costs into consideration when making decisions as in some cases the purchase cost is only a small proportion of the cost of operating it
Works	Construction works that we buy, including the construction and/or refurbishment of new and existing buildings, roads, bridges, parks or other open spaces9

APPENDIX 1 – SUSTAINABLE PROCUREMENT CHARTER

Sustainable Procurement Charter

Scottish Borders Council aims to be a responsible purchaser of goods, services and works. We set standards to make sure we undertake our activities in an ethical, responsible and sustainable way. This charter lays out a number of important principles and policy requirements of the Council to which we expect our suppliers to comply.



	Achieving our Sustainable Procurement duty					
Equalities	Disability Confident Scheme	Facilitating SME's, third sector and supported businesses in the procurement process	Promoting Innovation			
We view the Scottish Borders as a place where everyone matters, where everyone should have equal opportunities and where everyone should be treated with dignity and respect. As a responsible employer the Council is committed to promoting equal opportunities to all of the Scottish Borders community, employees and suppliers alike. Consideration of equal opportunities is fully integrated into our procurement practices and is fully committed to the values and ethos of the Equality Act 2010.	The Council is an accredited Disability Confident employer. We are committed to the aims of Disability Confident and would encourage our partners, suppliers and providers to demonstrate their commitment to the scheme and also become accredited Disability Confident employers. As appropriate, contracts or framework agreements may include clear performance indicators relating to the positive benefits of such a scheme.	Our procurement strategy aims to achieve a mixed economy of suppliers to support and develop our local rural market, particularly micro, small and medium sized enterprises, Third Sector organisations and supported businesses. This approach includes simplified and standardised public sector procurement practices, consideration of lotting and a range of hands-on assistance to the local supply chain to help reduce any barriers to involvement in procurement opportunities.	Influencing the market towards innovative solutions can focus public spending on sustainable goods, services and works and create an important catalyst for local job creation, sustainable innovation and market development. Our procurement strategy notes the importance of innovation through procurement and we encourage all our suppliers to consider an innovative approach to the way goods and services are delivered.			
Fair Work Practices Consultation with Stakeholders Health & Safety Compliance						

Fair Work Practices

As a Living Wage employer, the Council is committed to encouraging the wider adoption of the Scottish Living Wage by suppliers and to support this has adopted the Scottish Government guidance on the Selection of Tenderers and Award of Contracts which addresses Fair Work Practices as part of the procurement for relevant contracts. The Living . Wage is an hourly rate set by the Living Wage Foundation and is revised in November every year. The current rate is £9.00 (November 2018)

best value for the local community.

Service User and, where appropriate, wider community consultation is an integral part of commissioning considerations. The strategic importance and complexity of required outcomes will mainly govern the level of consultation undertaken and the choice of the procurement route followed. The final decision on these matters will always be considered in light of what is likely to provide

The Council is committed to achieving a culture that ensures it complies with all current Health and Safety legislation and in so doing endeavours to provide safe places and safe systems of work. This principal extends to those employed to do contracted works for and on behalf of the Council. The Council will only employ contractors who are SSIP accredited.

Fairly & ethically traded goods

The Council supports the Fair Trade initiative because it reflects our commitment to sustainable development and offers the prospect that marginalised producers across the world will receive fairer deals for their produce. The Council will promote the use of fair trade products across all its services and raise awareness of fair trade amongst its staff and customers. The Council will (to the extent permitted by EU procurement legislation) embed Fair Trade into contracts with suppliers where it has a direct bearing on the required goods, services and works.

Provision of Food

The procurement of food considers the wider community focus of improving the health and wellbeing of young people and communities in the Borders. Promoting a sustainable food supply chain by (where possible) the use of Scottish produce through collaborative contracts supports the delivery of healthy choices to support healthy eating.Food security and ethics are of equal importance and the Council follows Scottish Government guidance to ensure consideration of the highest levels of animal welfare.

The effect of late payment on SME's can be significant, impacting cash flow and the ability to trade. As direct support the Council has a prompt payment policy and related performance indicator which aims to make payment of invoices within 30 days of receipt of a valid invoice.To make sure this policy flows through all stages of the supply chain, our terms and conditions of contract obliges our contracted suppliers to make payment of valid invoices within a similar 30 day period.

Prompt payment within 30 days

Information/Data Management/Protection

The Council regards information as a valuable corporate asset which must be obtained, processed and protected diligently, lawfully and ethically. The approach to information governance focuses on safeguarding customers, providing business transparency and ensuring legislative compliance.

Relationships with 3rd parties who handle data on behalf of the Council, or with whom we share data are carefully managed. Contracts include information governance compliance conditions with these arrangements being documented and monitored. We will expect all suppliers to take the same robust approach to information management as we do, even after their contract has expired.

Environmental Impact and Climate Change

The Council is committed to reducing its environmental impact, including carbon emissions, wherever possible. The Climate Change (Scotland) Act 2009 places duties on public bodies to deliver their services in a way which supports this, including both internal activities, such as energy saving within buildings, and its work with partners. The way that the Council procures goods and services can have a huge environmental impact, and by purchasing items which can demonstrate a reduced negative effect on wildlife, natural resources and carbon emissions, we can reduce our carbon footprint and support suppliers to do the same.

Improving the economic social and environmental wellbeing of the area

Adding Value to Communities through Community Benefits or 'social' requirements in public sector procurement is intended to ensure that wider local economic and social issues are considered when delivering construction works, service or supplies contracts. This is achieved through the inclusion of specific clauses within contracts known as community benefit clauses (CBCs).

Conflict of Interest

Council Officers and Members conducting business on behalf of the organisation have a responsibility to do so in a manner that is objective and ethical. As such we require any individual whether employee or supplier to declare such an interest before any procurement activity commences as the best way to handle conflicts of interest is to avoid them entirely.

Modern Slavery Act 2015

The Council adopts a zero tolerance approach to modern slavery and human trafficking. We expect all those who work for and with us to adhere to this approach. As appropriate we will address areas of concern in the tendering process through requiring minimum standards and contract management.



APPENDIX 2 – REGULATED PROCUREMENT CATEGORY A SCOTTISH GOVERNMENT FRAMEWORK AGREEMENTS – CONTRACT AWARD/SPEND CHARTER

Scottish Government Schedule	Supplier Name	Subject Matter	Start Date	End Date	Contract Value
PS-14-002	Hewlett Packard UK Ltd	Desktop Client Devices	01.04.18	31.03.19	£51,190
PS-11-010	EDF Energy Ltd	Electricity	01.04.18	31.03.19	£2,200,936
PS-11-001	Lyreco UK Ltd	General Stationery and office paper	01.04.18	31.03.19	£114,707
PS-11-004	Scottish Fuels	Liquid Fuel - Automotive fuel (Central)	01.04.18	31.03.19	£142,490
PS-11-004	Highland Fuels	Liquid Fuel - Automotive fuel (South)	01.04.18	31.03.19	£1,115,509
PS-11-004	Scottish Fuels	Liquid Fuel - Heating oil (South)	01.04.18	31.03.19	£690,232
PS-14-002	Hewlett Packard UK Ltd	Mobile Client Devices	01.04.18	31.03.19	£357,272
PS-12-009	XMA Limited	National Framework for Tablet Client Devices	01.04.18	31.03.19	£53,103
PS-12-005	Total Gas & Power Ltd	Natural Gas	01.04.18	31.03.19	£514,564
PS-15-814	Royal Mail Group	Postal Services - Ad-hoc and hybrid mail (2016)	01.04.18	31.03.19	£121,679
PS-15-814	Royal Mail Group	Postal Services - Scheduled/Regular Bulk Mail (2016)	01.04.18	31.03.19	£70,130
PS-15-005	Anglian Water Business (National) Ltd	Water and Waste Water Services	01.04.18	31.03.19	£716,984
	·	·	·	Total Value	£6,148,796

CATEGORY B SCOTLAND EXCEL FRAMEWORK AGREEMENTS – CONTRACT AWARDS/SPEND

SXL Schedule Number	Supplier Name	Subject Matter	Start Date	End Date	Contract Value
0516	Nynas UK AB	Bitumen Products	01.04.18	31.03.19	£365,097
0516	Colas Ltd	Bitumen Products	01.04.18	31.03.19	£199,834
0517	Kibble Education & Care Centre	Children's Residential	01.04.18	31.03.19	£568,568
0517	Hillside School (Aberdour) Limited	Children's Residential	01.04.18	31.03.19	£247,613
0517	Care Visions Group Limited	Children's Residential	01.04.18	31.03.19	£191,189
0517	Spark Of Genius (training) Limited	Children's Residential	01.04.18	31.03.19	£133,178
0517	Harmony Education Trust Ltd	Children's Residential	01.04.18	31.03.19	£109,065
0115	Apetito Limited	Community Meals	01.04.18	31.03.19	£288,793
0815	The Furnishing Service Limited	Domestic Furniture and Furnishings	01.04.18	31.03.19	£353,399
0216	Langstane Press Limited	Education & Office Furniture	01.04.18	31.03.19	£74,592
0916	Yorkshire Purchasing Organisation	Education Materials	01.04.18	31.03.19	£74,345
0615	Edmundson Electrical Ltd T/A Edmundson Walsall	Electrical Materials	01.04.18	31.03.19	£80,645
0913	Energywise Scotland Ltd	Energy Efficiency Contractors	01.04.18	31.03.19	£119,578
1016	Brake Bros Ltd	Frozen Foods	01.04.18	31.03.19	£517,850
0515	Brake Bros Ltd	Groceries & Provisions	01.04.18	31.03.19	£643,049
1014	Simon Tullett Machinery	Ground Maintenance	01.04.18	31.03.19	£60,708
1414	Unico Limited	Janitorial Products	01.04.18	31.03.19	£116,355
0617	A.T Little & Sons (T/A Browns Books)	Library Books & Textbooks	01.04.18	31.03.19	£188,875
0617	Oxford University Press	Library Books & Textbooks	01.04.18	31.03.19	£72,773

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SXL Schedule Number	Supplier Name	Subject Matter	Start Date	End Date	Contract Value
0214	Brake Bros Ltd	Meats - Fresh, Prepared & Cooked (inc. Fresh Fish)	01.04.18	31.03.19	£97,220
0214	Campbell Brothers Limited	Meats - Fresh, Prepared & Cooked (inc. Fresh Fish)	01.04.18	31.03.19	£50,324
0416	Bunzl UK Ltd (T/A Greenham)	Personal Protective Equipment	01.04.18	31.03.19	£50,090
1214	Avm Impact Ltd	Presentation & Audio Visual Equipment	01.04.18	31.03.19	£59,707
2013	Cleveland Potash Ltd	Salt	01.04.18	31.03.19	£358,208
2917	ICL	Salt	01.04.18	31.03.19	£249,806
0716	Kibble Education & Care Centre	Secure Care	01.04.18	31.03.19	£169,740
2017	The Social Care Community Partnership Limited	Social Care Agency Workers	01.04.18	31.03.19	£196,295
0417	Redpath Tyres Ltd	Tyres for Vehicles & Plant	01.04.18	31.03.19	£195,383
0217	Cooks Van Hire Limited	Vehicle & Plant Hire	01.04.18	31.03.19	£124,666
0217	ACL Hire Limited	Vehicle & Plant Hire	01.04.18	31.03.19	£50,074
0116	AM Phillip Trucktech Ltd	Vehicle Parts	01.04.18	31.03.19	£111,253
0116	Dingobro Ltd.	Vehicle Parts	01.04.18	31.03.19	£62,341
0116	Bramall Quicks Dealerships T/a Quickco	Vehicle Parts	01.0418	31.03.19	£57,560
	·	· 		Total Value	£6,238,173

APPENDIX 2 – REGULATED PROCUREMENT CATEGORY C CONTRACT AND FRAMEWORK AWARDS

SBC Ref	Supplier Name	Subject Matter	Award Date	Start Date	End Date	Ext'n Period	Estimated Contract Value
1365	Police Scotland	Provision of Dedicated Police Officers	01/04/2018	01/04/2018	31/03/2021	24 Months	£405,000
1365	NHS Borders	Contribution to Community Children's Nurses Service	01/04/2018	01/04/2018	31/03/2021	24 Months	£221,800
1522	Children 1st	Abuse and Trauma Recovery Service	01/04/2018	01/04/2018	31/03/2021	24 Months	£198,875
EL8	NHS Borders	Drug Treatment and Testing Orders Service	01/04/2018	01/04/2018	31/03/2019	12 Months	£64,848
1548	Insight Direct UK Limited	Provision of Microsoft Enterprise License Agreement	30/04/2018	01/05/2018	30/04/2020		£1,077,891
1527	IHS Markit Limited	Online Technical Resource Library	14/05/2018	14/05/2018	13/05/2020	24 months	£160,533
1496	Various (framework participants)	Road Surfacing Materials Aggregates (Dry) & Ready Mixed Concrete	21/05/2018	21/05/2018	20/05/2021	12 Months	£15,000,000
1561	Levenseat	Organic Waste - Food Waste Treatment	22/05/2018	29/05/2018	28/05/2019		£54,000
1475	RNLI	Beach Life Guarding Services - Coldingham Bay	26/05/2018	26/02/2018	02/09/2022		£81,389
1574	McKenzies Waste and Wood Recycling	Recycling of Wood	31/05/2018	31/05/2018	30/05/2019	12 Months	£100,000
1500	Action for Children	Drugs & Alcohol Children & Families and Young Carers Service	01/06/2018	01/06/2018	31/05/2021		£663,147
1463	George Beattie & Sons	School Demolitions	05/07/2018	05/07/2018	15/01/2019		£243,664
1568	Everwarm Limited	Energy Improvements (EWI) at Properties in Galshiels, Clovenfords, Town Yetholm and St Boswells	13/07/2018	23/07/2018	31/05/2019		£606,500
1497	E-ON Energy Solutions	NDEE Framework Project (Non Domestic Energy Efficiency)	22/07/2018	01/09/2018	31/03/2020		£1,502,233

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SBC Ref	Supplier Name	Subject Matter	Award Date	Start Date	End Date	Ext'n Period	Estimated Contract Value
2017	Various (framework participants)	Social Care Agency Workers	27/07/2018	01/08/2018	31/07/2022		£280,600
1583	Europcar Group Limitd	Managed Pool Vehicles	29/07/2018	29/07/2018	28/09/2020	12 Months	£1,154,822
1593	BCA Insulation Limited	IWI Energy Improvements within Berwickshire	31/07/2018	15/08/2018	31/05/2019		£227,982
1280	Proactis Group Limited	Provision of Supplier Management Portal	31/07/2018	31/07/2018	01/08/2020	48 Months	£152,000
1570	Everwarm Limited	Energy Improvements (HTTC)	08/08/2018	01/09/2018	31/05/2019		£250,000
1479	Penumbra	Community Based Housing Support Service - Homelessness	18/07/2018	01/08/2018	31/07/2021	12 Months	£845,085
755	Various (framework participants)	Local Bus Services - Extended Routes	12/08/2018	12/08/2018	13/10/2019		£2,036,340
PTU/ 002	Various (framework participants)	Local Bus Services - Extended Routes	20/08/2018	15/10/2018	17/10/2021		£5,086,680
1150	Connect Communications (Scotland) Ltd	Publishing of SB Connect Council Newspaper	01/10/2018	01/10/2018	30/09/2020	12 Months	£103,631
2113	Parentpay	Online School Payments	01/11/2018	01/11/2018	30/10/2020	12 Months	£90,000
1628	Siemens Mobility Limited	Traffic Equipment Maintenance & Ancillary Support Services	13/11/2018	13/11/2018	12/11/2021		£108,336
1602	George Carruthers & Sons	Fresh Fruit & Vegetables, Bakery Products & Eggs	01/02/2019	01/02/2019	31/03/2023		£1,280,000
1667	Union Advertising Agency Limited	Digital Marketing Agency	14/02/2019	01/03/2019	30/09/2020		£61,815
1545	Zurich Municipal Services Limited	Insurance Services	01/03/2019	01/04/2019	31/03/2022	24 Months	£3,102,347
5000 8039 1 & 5000 8155 1	Corona Services Limited	Assessors Software Services	20/03/2019	01/04/2019	31/03/2020		£56,849

SBC Ref	Supplier Name	Subject Matter	Award Date	Start Date	End Date	Ext'n Period	Estimated Contract Value
1661	Chargemaster	Electric Vehicle Chargers	17/01/2019	31/01/2019	31/01/2029		£71,450
1687	White Stag Tourism	Travel Trade Consultancy	22/03/2019	01/04/2019	30/09/2020		£250,000
50000 0820 77	SCC	Renewal of Cognos Maintenance and Support	27/03/2019	01/04/2019	31/03/2020		£79,076
1509	Ogilvie Construction Limited	Great Tapestry of Scotland Visitor Attraction	30/03/2019	10/06/2019	20/09/2020		£4,898,397
Total Value £40,5							£40,515,290

SOCIAL CARE & HEALTH CONTRACTS

The Council uses a number of specialist providers across Adult and Children's Social Care & Health Services. These include Residential, Fostering, Educational and other specialist needs. The contracts for these services are put in place with multiple providers (both locally and out of the area) through existing framework agreements or via spot contracts. The use of the EU light touch regime ensures compliance with legislation.

After consideration it is believed that the individual nature of these arrangements creates a significant risk of a data breach occurring if they are publicised in more detail. These contracts are excluded from the above list.

APPENDIX 3 – CONTRACTS AWARDED DURING THE PERIOD WITH COMMUNITY BENEFIT CLAUSES

SBC Ref	Supplier Name	Subject Matter	Contract Award Date	Regulated or Below Threshold
1526	James Swinton	St Margaret's Primary School Galashiels Early Years Provision	02/05/2018	Below Threshold
1496	Various – framework	Road Surfacing Materials, Aggregates and ready Mixed Concrete Framework	17/05/2018	Regulated
1538	Keith Renton	Chirnside Primary School Early Years Provision	06/06/2018	Below Threshold
1539	Finlayson	Burgh Primary School Early Years Provision	06/06/2018	Below Threshold
1519	James Swinton	Jim Clark Museum	12/06/2018	Below Threshold
1550	Scotmac	Burnfoot Primary School Kitchen Refurbishment	27/06/2018	Below Threshold
1551	Scotmac	Chirnside Primary School Kitchen Refurbishment	27/06/2018	Below Threshold
1463	George Beattie & Son (demolitions)	Eyemouth, Duns and Kelso School Demolition	05/07/2018	Below Threshold
2917	Cleveland Potash Ltd	Salt for Winter Maintenance	01/04/2018	Regulated
1568	Everwarm Ltd	Energy Efficiency - External Wall Insulation Various Locations	13/07/2018	Regulated
1479	Penumbra	Community Based Housing Support	18/07/2018	Regulated
1593	BCA Insulations Ltd	Energy Efficiency - Internal Wall Insulation Berwickshire	31/07/2018	Regulated
1570	Everwarm Ltd	Energy Improvements - HTTC Peebles	08/08/2018	Regulated
1549	David Morton	Eildon Mill Demolition	23/08/2018	Below Threshold
1603	Connect Communications Ltd	SB Connect Publication	01/10/2018	Regulated
1583	Europcar Group Limited	Provision of Managed Pool Vehicles	29/07/2018	Regulated
1612	Keith Renton	Reston Primary School Early Years Provision	10/10/2018	Below Threshold
1576	Wicksteed	Multiple Playparks	23/11/2018	Regulated
1631	KRJ Construction	Yetholm Primary School	30/11/2018	Below Threshold
1502	Central Demolition	Almstrongs Hawick Demolition	14/12/2018	Below Threshold
1624	Finlayson	Alterations to Unit 2 Linglie Mill Selkirk	01/02/2019	Below Threshold
1602	George Curruthers & Sons	Fresh Fruit and Vegetables, Bakery Products and Eggs	01/02/2019	Regulated
1675	James Swinton	Duns Primary School Early Years Provision	15/02/2019	Below Threshold
1545	Zurich Municipal Services Limited	Insurance and Support Services	01/03/2019	Regulated
1679	Finlayson	Greenlaw Primary School Window Replacement	06/03/2019	Below Threshold
1509	Ogilvie Construction Ltd	Great Tapestry of Scotland Visitor Attraction	30/03/2019	Regulated

APPENDIX 4 – FUTURE REGULATED PROCUREMENTS SUMMARY 2019/2020

Contract/Framework Title or Subject Matter Renewal or Estimated Expected Contract Start Date Contract Value Water System Risk Assessment & Water Hygiene Renewal £534,120.00 01/08/2019 Monitoring Services Provision of Telephone Calls and Line Rentals Renewal £540,000 01/08/2019 iPads for Inspire Learning Programme New £2,823,228 01/08/2019 NFM Study - Hawick New £225,000 01/08/2019 Eyemouth Coastal Study New £150,000 30/08/2019 Renewal £2,500,000 01/09/2019 Liquid Fuels **Community Meals** Renewal 01/09/2019 £1,160,000 Border Playparks New £495,000 01/09/2019 Laboratory Services for Private Water Supply Samples Renewal £90,000 01/10/2019 Property Repairs and Maintenance Framework Agreement Renewal £19,000,000 01/10/2019 Employee Benefit Scheme: Childcare Vouchers and Car Renewal £2,430,000 01/10/2019 Salary Sacrifice Scheme **Glass** Collection Renewal £65,000 01/10/2019 HR Training - Health and Safety Training New £120,000 01/11/2019 **Mobile Client Devices** Renewal £1,440,000 01/11/2019 Shared Lives Scheme New £824,846 19/11/2019 NDEE Project (Phase 2) New £1,800,000 01/12/2019 Mobile Voice and Data Services Renewal £150,000 01/12/2019 **Desktop Client Devices** Renewal £200,000 01/12/2019 Renewal **Banking Services Contract** £240,000 15/01/2020 Almstrong Building Hawick - Main Works New £2,000,000 15/01/2020 NFM Study - Gala Water New £225.000 01/02/2020 Water and Waste Water Services 01/03/2020 Renewal £2,860,000

APPENDIX 4 – FUTURE REGULATED PROCUREMENTS SUMMARY

2019/2020

Contract/Framework Title or Subject Matter	Renewal or New	Estimated SBC Total Contract Value	Expected Contract Start Date
Alcohol and Drug Treatment Service	Renewal	£1,677,800	01/04/2020
Children's Residential Respite and Play Scheme	Renewal	£1,635,388	01/04/2020
Residential Care for People with Autism/Learning disability	Renewal	£1,311,028	01/04/2020
Core and Cluster Supported Accommodation	Renewal	£1,140,054	01/04/2020
Carers Support Service	Renewal	£681,080	01/04/2020
Care and Repair Service	Renewal	£637,914	01/04/2020
Helpline providing support, information and assistance	Renewal	£356,913	01/04/2020
Core Service and Supported Childminding Scheme	Renewal	£293,684	01/04/2020
Emotional Health and Wellbeing Service	Renewal	£1,134,946	01/04/2020
Public Convenience Service	New	£2,600,000	01/04/2020
Pension System Support and Maintenance - Heywood Solution	Renewal	£1,300,000	01/04/2020
Sheriff Officer Services	Renewal	£190,000	01/04/2020
IT Consumables	Renewal	£565,000	01/04/2020
Security Services and Cash Collection	Renewal	£100,000	01/04/2020
Border Playparks	New	£315,000	01/04/2020
Path Vegetation Clearance	Renewal	£99,000	01/04/2020
Microsoft Enterprise License Agreement	Renewal	£1,100,000	01/05/2020
Licenses and Support Agreement for HR Payroll System	Renewal	£60,000	01/05/2020
Groceries and Provisions	Renewal	£1,900,000	01/05/2020
General Stationery and Office Paper	Renewal	£450,000	31/05/2020
Income Management Solution	Renewal	£330,000	31/05/2020
Court of Session /Edinburgh Agency Work	Renewal	£160,000	01/06/2020
National Tablet Client Devices	Renewal	£450,000	01/06/2020
Recycling of Wood	Renewal	£100,000	01/06/2020
Electronic Homecare Monitoring and Scheduling Solution	Renewal	£310,000	01/07/2020
Horticultural Products	Renewal	£500,000	01/07/2020
Short Term Ad hoc Vehicle Hire	Renewal	£300,000	03/07/2020
Catering Sundries	Renewal	£185,000	31/07/2020
Provision of Supplier Management Portal	Renewal	£152,000	01/08/2020
Occupational Health Service	Renewal	£440,000	30/09/2020
Publishing of SB Connect Council Newspaper	Renewal	£103,631	30/09/2020
Postal Services	Renewal	£1,100,000	01/10/2020
Online School Payments	Renewal	£90,000	30/10/2020
Domestic Furniture and Furnishings including White Goods	Renewal	£1,200,000	31/10/2020
LGSAS Pension Software	Renewal	£712,661	18/12/2020
Eyemouth Primary School - Main Works	New	£15,000,000	01/01/2021
Early Years Partnership Training	Renewal	£400,000	09/06/2021
Sir Walter Scott Court House - Main Works	New	£2,600,000	01/08/2021
Residential Care for People with Learning Disabilities	Renewal	£3,534,321	01/09/2021

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PROCUREMENT SERVICES

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