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Tender

## **Carriageway & Footway Reconstruction/Resurfacing Framework Agreement**

East Renfrewshire Council

F02: Contract notice

Notice identifier: 2023/S 000-003485

Procurement identifier (OCID): ocds-h6vhtk-03a2ef

Published 3 February 2023, 4:07pm

### **Section I: Contracting authority**

#### **I.1) Name and addresses**

East Renfrewshire Council

Eastwood HQ, Eastwood Park,

Giffnock

G46 6UG

#### **Email**

[sandra.bisset@eastrenfrewshire.gov.uk](mailto:sandra.bisset@eastrenfrewshire.gov.uk)

#### **Telephone**

+44 1415773669

#### **Country**

United Kingdom

## **NUTS code**

UKM83 - Inverclyde, East Renfrewshire and Renfrewshire

## **Internet address(es)**

Main address

<http://www.eastrenfrewshire.gov.uk>

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA00183](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00183)

## **I.3) Communication**

The procurement documents are available for unrestricted and full direct access, free of charge, at

<https://www.publictendersscotland.publiccontractsscotland.gov.uk>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://www.publictendersscotland.publiccontractsscotland.gov.uk>

Electronic communication requires the use of tools and devices that are not generally available. Unrestricted and full direct access to these tools and devices is possible, free of charge, at

<https://www.publictendersscotland.publiccontractsscotland.gov.uk>

## **I.4) Type of the contracting authority**

Regional or local authority

## **I.5) Main activity**

General public services

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## **Section II: Object**

### **II.1) Scope of the procurement**

#### **II.1.1) Title**

Carriageway & Footway Reconstruction/Resurfacing Framework Agreement

Reference number

ERC000094

#### **II.1.2) Main CPV code**

- 45233223 - Carriageway resurfacing works

#### **II.1.3) Type of contract**

Works

#### **II.1.4) Short description**

The purpose of this tender is for(i) the establishment of a Framework Agreement of Roads & Footways Reconstruction and (ii) appointment of a contractor under the Agreement for the works associated with Stewarton Road (Speirsbridge Rbt to Patterton Rbt) – Carriageway Resurfacing.

This procurement will be conducted via the Public Contracts Scotland - Tender portal (PCS-T). We will apply a one stage Open procedure.

Bidders must self-certify their adherence to the conditions of participation via the SPD (Scotland) in PSC-T, and may be required to submit Means of Proof before contract award. Bidders must refer to the specific requirements listed in Section III in this Contract Notice when completing the SPD in PCS-T.

#### **II.1.5) Estimated total value**

Value excluding VAT: £17,600,000

#### **II.1.6) Information about lots**

This contract is divided into lots: No

## **II.2) Description**

### **II.2.2) Additional CPV code(s)**

- 45233223 - Carriageway resurfacing works
- 45233220 - Surface work for roads
- 45233253 - Surface work for footpaths
- 45233251 - Resurfacing works

### **II.2.3) Place of performance**

NUTS codes

- UKM83 - Inverclyde, East Renfrewshire and Renfrewshire

### **II.2.4) Description of the procurement**

East Renfrewshire Council is seeking and is currently inviting tenders, from suitably qualified companies for Roads and Footways Reconstruction/Resurfacing as detailed within the specification. Contract award will be offered as a Framework Agreement.

The purpose of this tender is for (i) the establishment of a Framework Agreement and (ii) appointment of a contractor under the Agreement for the works associated with Stewarton Road (Speirsbridge Rbt to Patterton Rbt) – Carriageway Resurfacing.

The most economic tenderer will be awarded the Contract for works associated with Stewarton Road (Speirsbridge Rbt to Patterton Rbt) – Carriageway Resurfacing.

Contract award will be offered as a Framework Agreement, up to a Maximum of 5 contractors will be appointed to the Framework Agreement.

### **II.2.5) Award criteria**

Quality criterion - Name: Quality / Weighting: 30

Price - Weighting: 70

### **II.2.6) Estimated value**

Value excluding VAT: £17,600,000

## **II.2.7) Duration of the contract, framework agreement or dynamic purchasing system**

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

Option to extend for a further 12 months until 31st March 2027.

## **II.2.10) Information about variants**

Variants will be accepted: No

## **II.2.11) Information about options**

Options: No

## **II.2.13) Information about European Union Funds**

The procurement is related to a project and/or programme financed by European Union funds: No

## **II.2.14) Additional information**

Economic operators may be excluded from this competition if they are in any of the situations referred to in regulation 8 and 9 of the Procurement (Scotland) Regulations 2016.

## **Section III. Legal, economic, financial and technical information**

### **III.1) Conditions for participation**

#### **III.1.2) Economic and financial standing**

List and brief description of selection criteria

The Council reserves the right at its own discretion to seek information from the applicant in accordance with Regulation 61(7) or Regulation 61(8) of the Public Contracts (Scotland) Regulations 2015 to determine the Applicant's economic and financial standing. East Renfrewshire Council requires to ensure that the economic operator has the necessary economic and financial capacity to perform and complete the contract. In the current difficult economic environment, the Council seeks to ensure that the contractor who undertakes the works has suitable financial strength and capacity to complete these goods, works or services.

Where an economic operator wishes to be considered for selection under this contract but cannot meet the turnover and/or Credit Safe score of 30 that economic operator must provide financial information which will satisfy the Council that they have an equivalent level of economic and financial standing; and must provide related guarantees or formal assurances to support their right to participate and be considered for any contract award (Regulation 61(8)). Please note that any financial information disclosed should evidence the financial strength of the economic operator tendering, therefore additional supporting information will need to be provided where joint or group accounts are provided in support of a bid to explain to the Council the relevance of that information.

Where the economic bidder relies upon or intends to rely upon any Key Subcontractors in performance of the contract, then the Council reserves the right to assess the financial strength and suitability of the Key subcontractor as part of the qualification process; Where the economic operator relies upon a parent company to provide financial assurance in support of their bid, the Council will also reserve the right to seek financial information on the strength and suitability of the parent company; and

Where the economic operator relies upon the capacity of other parties in respect of selection and/or performance of the contract, then dependent on the nature of the arrangement the Council may require full disclosure of financial information in support of the bid. For example, where the bidder identifies as a consortium the Council will require that the consortium, as a group, can meet the financial selection requirements contained in the procurement documents. Where a bidder is part of a Consortium, it shall procure the execution and delivery to the Employer of a Consortium Guarantee (in the form provided by the council) executed by each member of the Consortium (acting as Consortium guarantor) in Self

Proving Form.

The Council reserves the right to monitor that the economic operator continues to meet the financial selection requirements upon receipt of the invitation to tender or after evaluation has been completed and prior to any award being made. Economic operators must inform the Council of any changes to any submission made by them in respect of their financial and or economic situation. The Council will further reserve the right to remove any economic operator from the tendering process where they are no longer able to fulfil any of the selection requirements as directed within the procurement documents.

Further detail is contained within the procurement documents.

Bidders who cannot meet the required level of turnover will be excluded from this tender.

It is a requirement of this contract that bidders hold, or can commit to obtain prior to the commencement of any subsequently awarded contract, the types and levels of insurance indicated below:

Employer's (Compulsory) Liability Insurance = 5 million GBP

Public Liability Insurance 5 million GBP

Professional Indemnity Insurance 2 million GBP

Third Party Motor Vehicle Insurance

### **III.1.3) Technical and professional ability**

List and brief description of selection criteria

It is a requirement of this tender that the bidder recommended for a place on this framework holds the following ISO 45001 Health and safety management standard (or equivalent) that complies with the Health and Safety at Work Act 1974.

Bidders who intend to use a supply chain to deliver the requirements detailed in the Contract Notice, must confirm they have (or have access to) the relevant supply chain management and tracking systems to ensure a resilient and sustainable supply chain. Bidders must provide a response at SPD Q4.C.4 and this will include confirmation that they have the systems in place to pay subcontractors through the supply chain promptly and effectively, and provide evidence when requested of:

a) their standard payment terms.

b) ≥95% of all supply chain invoices being paid on time (in accordance with the terms of

contract) in the last financial year.

Bidders unable to confirm (b) must provide an improvement plan, signed by their Director, which improves payment performance. It should be noted that where a bidder is unable to confirm or provide a satisfactory improvement plan the Council reserves the right to remove you from the process.

Bidders are required to confirm whether they intend to subcontract and, if so, for what proportion of the contract.

Bidders who intend to subcontract more than 25% to any individual organisation must ensure the SPD (Scotland) - Subcontractors Supplier Response is completed and uploaded at question 2C.1 of the qualification envelope.

Minimum level(s) of standards possibly required

Civil Engineering related qualifications - HNC, HND, I.Eng., B.Sc., B.Eng.

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## **Section IV. Procedure**

### **IV.1) Description**

#### **IV.1.1) Type of procedure**

Open procedure

#### **IV.1.3) Information about a framework agreement or a dynamic purchasing system**

The procurement involves the establishment of a framework agreement

Framework agreement with several operators

Envisaged maximum number of participants to the framework agreement: 5

#### **IV.1.8) Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: Yes

### **IV.2) Administrative information**

#### **IV.2.2) Time limit for receipt of tenders or requests to participate**



Date

8 March 2023

Local time

12:00pm

#### **IV.2.4) Languages in which tenders or requests to participate may be submitted**

English

#### **IV.2.6) Minimum time frame during which the tenderer must maintain the tender**

Duration in months: 6 (from the date stated for receipt of tender)

#### **IV.2.7) Conditions for opening of tenders**

Date

8 March 2023

Local time

12:00pm

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## **Section VI. Complementary information**

### **VI.1) Information about recurrence**

This is a recurrent procurement: Yes

Estimated timing for further notices to be published: Subject to extending framework - renewal notices will be available early 2027.

### **VI.2) Information about electronic workflows**

Electronic ordering will be used

Electronic invoicing will be accepted

Electronic payment will be used

### **VI.3) Additional information**

Prompt Payment-The successful tenderer shall, as a condition of being awarded the contract, be required to demonstrate to the council's satisfaction that all funds due to the tenderer's permitted sub-contractors in respect of these services are paid timeously and that as a minimum invoices rendered by subcontractors shall(unless formally disputed by the tenderer)be paid within 30 days

of receipt. The successful tenderer shall also impose this condition on its subcontractors in respect of payments due to any sub-sub-contractors, if any.

The Council reserves the right to request copies of insurance certificates from bidders at any point during the contract period. Failure to supply the information within timeframe requested may result in your bid being rejected & the Council proceeding with the procurement exercise to the next appropriate bidder. Additional information pertaining to this contract notice is contained within the Tender documents. Applicants must ensure they read in line with this contract notice.

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 22630. For more information see:

<http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2343>

The Contracting Authority does not intend to include a sub-contract clause as part of community benefits (as per Section 25 of the Procurement Reform (Scotland) Act 2014) in this contract for the following reason:

Interested bidders are unlikely to sub-contract as the works will be done as smaller projects as most bidders will likely conduct the works themselves.

Community benefits are included in this requirement. For more information see:

<https://www.gov.scot/policies/public-sector-procurement/community-benefits-in-procurement/>

A summary of the expected community benefits has been provided as follows:

Community benefits are included in this requirement. For more information see:

<https://www.gov.scot/policies/public-sector-procurement/community-benefits-in-procurement/>

A summary of the expected community benefits has been provided as follows:

East Renfrewshire Council is committed to maximising community benefits from contracts for works, goods and services in which the

Council has an interest. Community benefits should improve the economic, social or environmental wellbeing of the area. Under this contract the successful Contractor will be requested to support East Renfrewshire Council's economic, environmental and social regeneration objectives to achieve benefits for our identified beneficiary hierarchy.

Tier 1. Targeted recruitment and training for priority employability groups.

Tier 2. Work experience placements for the same target groups.

Tier 3. Curriculum support for schools and those on employability pathways.

Tier 4. Community Enhancement for community groups and projects.

Tier 5. Small and Medium Enterprises and Social Enterprise Organisations supply chain support.

Community Benefits has been included as a mandatory requirement and will be claimed retrospectively based on the spend through this framework on an annual basis.

(SC Ref:721494)

## **VI.4) Procedures for review**

### **VI.4.1) Review body**

Paisley Sheriff Court and Justice of the Peace Court

Paisley

PA3 2HW

Email

[paisley@scotcourts.gov.uk](mailto:paisley@scotcourts.gov.uk)

Country

United Kingdom