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Tender

## **Road Material Testing Contract**

South Lanarkshire Council

F02: Contract notice

Notice identifier: 2022/S 000-004302

Procurement identifier (OCID): ocds-h6vhtk-03176a

Published 15 February 2022, 3:25pm

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

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

South Lanarkshire Council

Council Headquarters, Almada Street

Hamilton

ML3 0AA

#### **Contact**

Peter Cannon

#### **Email**

[peter.cannon@southlanarkshire.gov.uk](mailto:peter.cannon@southlanarkshire.gov.uk)

#### **Country**

United Kingdom

#### **NUTS code**

UKM95 - South Lanarkshire

**Internet address(es)**

Main address

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

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA00410](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00410)

**I.2) Information about joint procurement**

The contract is awarded by a central purchasing body

**I.3) Communication**

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

[www.publictendersscotland.publiccontractsscotland.gov.uk](http://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

[www.publictendersscotland.publiccontractsscotland.gov.uk](http://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**

Road Material Testing Contract

Reference number

SLC/PS/COMENT/21/135

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

- 60100000 - Road transport services

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

Services

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

The Council has an ongoing requirement for Roads Material Testing for use by South Lanarkshire Council Roads and Transportation Services. There is a need to ensure continuity of provision through formal contracting and providing a fit for purpose service in line with current standards and legislation.

The Service has a proposed contract period of 3 years with the option to extend for up to 24 months, running to 31 March 2027.

The Council's preference is for a contract awarded to a single Supplier where acceptable bids are received.

The contract will be based on the NEC3 Term Service Short Contract.

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

Value excluding VAT: £400,000

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

This contract is divided into lots: No

### **II.2) Description**

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

- 71632000 - Technical testing services

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

NUTS codes

- UKM95 - South Lanarkshire

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

The contract will be procured via open route and is based on the NEC3 Term Service Short Contract.

The Contract will be awarded on the basis of the most economically advantageous tender received for a period of 3 years with the option to extend for a further period of up to 24 months.

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

Quality criterion - Name: Technical / Weighting: 30

Price - Weighting: 70

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

Value excluding VAT: £400,000

### **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 period of 24 months to 31 Marc 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

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

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

#### **III.1.1) Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers**

List and brief description of conditions

There are a number of questions/statements that have been included in the Contract Notice and within the Qualification Envelope which detail the minimum requirements that Bidders must be able to evidence for participation in this tender and ultimately will be required to evidence prior to any award being made. There are in addition further statements made that simply provide relevant information relating to the tender itself.

These questions and statements form an integral part of the Single Procurement Document (the SPD) which the Council has decided to implement for all tenders in excess of 50K in value.

#### **SPD Question 2.C.1 Reliance on the capacities of other entities**

Bidders are required to complete a full SPD for each of the entities whose capacity they rely upon

#### **SPD Question 2.D.1 Subcontractors on whose capacity the bidder does not rely**

Bidders are required to complete a shortened version of the SPD for each Subcontractor on whose capacity the bidder does not rely on

#### **Exclusion Criteria**

Economic operators may be excluded from this competition if they are in any of the situations referred to in regulation 58 of the Public Contracts (Scotland) Regulations 2015.

SPD Questions 3A – 3C have been identified as mandatory exclusion grounds and SPD

Questions 3D have been identified as discretionary exclusion grounds. All the exclusion grounds will be assessed on a PASS/FAIL basis. For the mandatory exclusion grounds a bid will be excluded where the bidder fails to provide either a positive response or to provide details to the satisfaction of the Council of the self cleansing measures undertaken. For the discretionary exclusion grounds a bid may be excluded where the bidder fails to provide either a positive response or if the Council is not satisfied as to the self cleansing measures undertaken.

#### SPD Question 4A.1 Trade Registers

It is a requirement of this tender that if the bidder is UK based they must hold a valid registration with Companies House. Where the bidder is UK based but not registered at Companies House they must be able to verify to the Councils satisfaction that they are trading from the address provided in the tender and under the company name given.

If the bidder is based out-with the UK they must be enrolled in the relevant professional or trade register appropriate to their country as described in Schedule 5 of the Public Contracts (Scotland) Regulations 2015.

#### SPD Question 4A.2 Authorisation/Membership

Where it is required, within a bidder's country of establishment they must confirm which authorisation or memberships of the relevant organisation(s) are required in order to perform this service.

Bidders must confirm if they hold the particular authorisation or memberships.

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

Minimum level(s) of standards possibly required

#### SPD Question 4B.4 Economic and Financial Standing

The Council will use the following ratios to evaluate a bidders financial status:

Profitability – this is taken as profit after tax but before dividends and minority interests. If a company makes a profit then it is a pass for this ratio;

Liquidity – this is calculated as current assets less stock and work in progress, divided by current liabilities. If the answer is greater than or equal to one then it is a pass for this ratio

Gearing – this is calculated as the total external secured borrowing (short term and long term) divided by shareholder funds expressed as a percentage. If the answer is less than or equal to 100% it is considered a pass for this ratio.

Bidders must provide the name and value of each of the 3 ratios within their response to SPD question 4B.4.

The Council requires bidders to pass 2 out of the 3 financial ratios above.

Where 2 out of the 3 ratios cannot be met, the Council may take the undernoted into consideration when assessing financial viability and the risk to the Council, providing that the Bidder can supply evidence to substantiate any of the mitigating criteria when requested to do so. The following list is not exhaustive and other criteria may be considered where proposed by a bidder as mitigating factors:

Would the bidder have passed the checks if prior year accounts had been used?

Were any of the poor appraisal outcomes "marginal"?

Does the bidder operate in a market which, traditionally, requires lower liquidity or higher debt finance?

Does the bidder have sufficient reserves to sustain losses for a number of years?

Does the bidder have a healthy cashflow?

Is the bidder profitable enough to finance the interest on its debt?

Is most of the bidder's debt owed to group companies?

Is the bidder's debt due to be repaid over a number of years, and affordable?

Have the bidder's results been adversely affected by "one off costs" and / or "one off accounting treatments"?

Do the bidder's auditors (where applicable) consider it to be a "going concern"?

Will the bidder provide a Parent Company Guarantee?

Is the bidder the single supplier/source of the Goods/Works/Services in the marketplace?

The Council will request submission of and assess the bidders financial accounts, and may use financial verification systems to validate the information provided.

#### SPD Question 4B.5 Insurance

The bidder must confirm that they have or will commit to obtain prior to the commencement of the contract, the following levels of Insurance Cover:

Employer's Liability Insurance covering the death of or bodily injuries to employees of the bidder arising out of and in the course of their employment in connection with this contract to the level of 10000000 GBP in respect of each claim, without limit to the number of claims.

Public Liability Insurance covering the death of or bodily injury to a person (not an employee of the bidder) or loss of or damage to property resulting from an action or failure to take action by the bidder to the level of 5000000 GBP in respect of each claim, without limit to the number of claims.

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

Minimum level(s) of standards possibly required

#### **SPD Question 4C.1.2 Technical and Professional Ability**

With reference to the nature and details of the supplies/services that are the subject matter of this tender, relevant examples are to be provided of the supplies/services undertaken by the bidder in the last 3 years.

It is a requirement of this tender that the Bidder can demonstrate in their response to question 4C1.2 below that they have carried out services of a similar type and value to those mentioned in the Service Requirements and Specification within the last 3 years. The Council reserves the right to verify any information supplied with the relevant Company/Authority.

#### **SPD Question 4C.2 Technical and Professional Ability (Technicians or Technical Bodies)**

Bidders will be required to confirm details of the technicians or technical bodies who they can call upon, especially those responsible for quality control.

#### **SPD Question 4C.3 Technical and Professional Ability (Technical Facilities and Measures)**

Bidders will be required to demonstrate that they have (or have access to) the appropriate technical facilities, study and research facilities and quality measures to deliver the types of requirements detailed in II.2.4 in the Contract Notice.

#### **SPD Question 4C.9 Technical and Professional Ability (Equipment)**

Please provide details of the relevant tools, plant or technical equipment available to you in relation to this procurement exercise. As a minimum the bidder will have access to :

It is a mandatory requirement of the tender and subsequent contract that the successful

bidder must have relevant equipment available to carry out the services as detailed in the specification at the commencement of the contract.

#### SPD Question 4C.10 Technical and Professional Ability (Sub-Contracting)

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

#### SPD Question 4D.1 Quality Assurance Schemes

It is a requirement of this tender that the bidder recommended for award holds the following Quality Assurance scheme membership:

It is a requirement of this tender that the Bidders recommended award hold the following Quality Assurance scheme membership: ISO9001 Quality Management or equivalent. Bidders should refer to "Attachment 13" which provides details of Quality Assurance Requirements.

A Health and Safety Declaration is available in the attachment area. Bidders recommended for award will be required to provide a completed copy of this document when requested.

#### SPD Question 4D.2 Environmental Management Standards

It is a requirement of this tender that the bidder recommended for award holds the following environmental standard/accreditation:

It is a requirement of this tender that the Bidders recommended for award hold the following Quality Assurance scheme membership: ISO14001 Environmental Management Systems or equivalent.

Bidders should refer to "Attachment 12" which provides details of Environmental Management Standard Requirements.

### **III.2) Conditions related to the contract**

#### **III.2.3) Information about staff responsible for the performance of the contract**

Obligation to indicate the names and professional qualifications of the staff assigned to performing the contract

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## **Section IV. Procedure**

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

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

Open procedure

#### **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

17 March 2022

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

17 March 2022

Local time

12:00pm

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## **Section VI. Complementary information**

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

This is a recurrent procurement: No

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

Declarations and Certificates

In an open tendering procedure prior to any award being made the successful bidder will provide the undernoted certificates, declarations and/or completed questionnaires to evidence their compliance with the relevant questions within the Qualification Envelope.

All certificates, declarations and questionnaires can be found within the Attachment area of PCS-T.

SPD Question 2D.1 Prompt Payment Certificate

SPD Question 3C.1 Blacklisting in the Construction Industry Declaration

Declaration Section NEC3 Form of Offer to Tender

SPD Question 3D.11 Non-Collusion Certificate

SPD Question 4D.1 Health and Safety Questionnaire

SPD Question 4B.5.1 Insurance Certificates

SPD Questions 3A.1 to 3A.8 Serious and Organised Crime Declaration

SPD Question 4C.6 Goods Vehicle Operator's Licence

SPD Question 3A.6 Modern Slavery Act 2015 Declaration

\*The 'Form of Offer to Tender' and NEC Contractors Offer must be completed and uploaded within the relevant question in the Commercial Envelope.

In the case of an open tender, the other Declarations listed above will not be required to be uploaded and submitted with the bid, but will instead be requested by the Council following the conclusion of the evaluation of the Qualification, Technical and Commercial Envelopes and prior to the award of the tender.

Failure to provide this information or in the event that the information provided does not support or evidence the statements made within the SPD will invalidate the bid. In this scenario the Council will seek to obtain the relevant information and evidence from the second highest scoring bidder and so on until a fully compliant bidder is identified.

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 20666.

For more information see:

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

A sub-contract clause has been included in this contract. For more information see:

<http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2363>

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:

As detailed within tender pack

(SC Ref:683492)

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

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

Hamilton Sheriff Court

Sheriff Court House, 4 Beckford Street

Hamilton

ML3 0BT

Email

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

Telephone

+44 1698282957

Country

United Kingdom

Internet address

[www.scotscourts.gov.uk](http://www.scotscourts.gov.uk)

#### **VI.4.3) Review procedure**

Precise information on deadline(s) for review procedures

Court of Session

Parliament House

Parliament Square

Edinburgh

EH1 1RQ

+44 1312252595

[supreme.courts@scotcourts.gov.uk](mailto:supreme.courts@scotcourts.gov.uk)