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Tender

A9 Dualling - Tomatin to Moy - Archaeological Investigation

Transport Scotland

F02: Contract notice

Notice identifier: 2021/S 000-005175

Procurement identifier (OCID): ocds-h6vhtk-029ba8

Published 15 March 2021, 12:08pm

Section I: Contracting authority

I.1) Name and addresses

Transport Scotland

Buchanan House, 58 Port Dundas Road

Glasgow

G4 0HF

Contact

Mark Sanders

Email

mark.sanders@transport.gov.scot

Telephone

+44 7817950540

Country

United Kingdom

NUTS code

UKM82 - Glasgow City

Internet address(es)

Main address

<http://www.transport.gov.scot>

Buyer's address

https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00099

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.publiccontractsscotland.gov.uk

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

www.publiccontractsscotland.gov.uk

I.4) Type of the contracting authority

National or federal Agency/Office

I.5) Main activity

Other activity

Transport

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

A9 Dualling - Tomatin to Moy - Archaeological Investigation

II.1.2) Main CPV code

- 71351914 - Archaeological services

II.1.3) Type of contract

Services

II.1.4) Short description

Transport Scotland, on behalf of the Scottish Ministers, has identified the need to appoint a suitably experienced archaeological contractor ("Contractor") to carry out non-invasive and invasive pre-construction archaeological investigations for the A9 Dualling – Tomatin to Moy Scheme.

The main objective to be delivered by the Contractor will be to reduce the effect of the A9 Dualling Programme on the archaeological resource through the acquisition of a full archaeological record and an evidence based interpretation of that record. As a minimum this will include non-invasive and invasive archaeological investigations, earthwork and landscape surveys, metal detector survey, building survey, a programme of trial trenching, followed by a post-excavation assessment and reporting, with potential strip, map and excavations, and further post excavation assessment and reporting.

II.1.5) Estimated total value

Value excluding VAT: £450,000

II.1.6) Information about lots

This contract is divided into lots: No

II.2) Description

II.2.2) Additional CPV code(s)

- 45112450 - Excavation work at archaeological sites

II.2.3) Place of performance

NUTS codes

- UKM62 - Inverness & Nairn and Moray, Badenoch & Strathspey

Main site or place of performance

A9 Tomatin to Moy

II.2.4) Description of the procurement

Transport Scotland is an agency of the Scottish Government and contracts in the name of and on behalf of the Scottish Ministers. Transport Scotland has identified the requirement to appoint a suitably experienced Contractor to undertake non-invasive and invasive pre-construction archaeological investigations for the A9 Dualling – Tomatin to Moy scheme.

It is intended that the contract will be in place for a period of approximately 25 months covering two main phases of work:

- (i) Phase 1 – Archaeological Trial Trenching, Surveys, Reporting and Archiving, estimated to approximately 5 months.
- (ii) Phase 2 (if required following Phase 1) – Archaeological Strip, Map and Excavation, Reporting, Post-Excavation Analysis, and Publication, estimated to approximately 20 months.

Transport Scotland will manage the proposed procurement process for the non-invasive and invasive pre-construction archaeological investigation contract (the “Contract”) on behalf of the Scottish Ministers. In the event of the contract award, the Contract will be entered into between the Scottish Ministers and the successful tenderer.

The contract terms and conditions will be based on Infrastructure Conditions of Contract Archaeological Investigation Version August 2011. Each selected economic operator shall be invited to submit a Tender on the same contract terms.

The Contractor will be procured through a competitive tender procedure, in accordance with the restricted procedure as stated in the Public Contracts (Scotland) Regulations 2015. This

is a two-stage procedure, comprising a prequalification stage and a tender stage. Section II.2.9 of this Contract Notice describes the criteria for choosing the limited number of candidates. In order to be considered for the prequalification stage, economic operators are required to complete and submit an SPD, which can be downloaded via the Public Contracts Scotland portal (www.publiccontractsscotland.gov.uk). It is anticipated that a total of 5 economic operators will be invited to tender stage.

Due to the specialist archaeological expertise required for this project, the non-invasive archaeological investigations, the archaeological trial trenching, post-excavation assessment and reporting, any potential archaeological strip, map and excavation, associated post-excavation assessment and reporting are to be performed under a single contract and as such shall not be divided into lots.

Requirement:

The requirement for archaeological investigation is evaluated in the Environmental Statement (ES) for Scottish Trunk Road schemes. It was identified in the cultural heritage chapter and the Schedule of Environmental Commitments in the A9 Dualling – Tomatin to Moy Environmental Statement (ES) that archaeological investigations would be required for the scheme. The investigation is required in order to reduce the effect of the scheme on the archaeological resource through the acquisition of a full archaeological record and an evidence based interpretation of that record.

The services required are likely to include: non-invasive and invasive archaeological investigations, and post-excavation assessment, analysis, reporting and publication. The non-invasive archaeological investigations are likely to include: earthwork and landscape surveys, metal detector survey, and a building survey. The invasive archaeological investigations are likely to include: trial trenching, followed by potential strip, map and excavation, with subsequent post-fieldwork assessment, analysis, and reporting.

II.2.5) Award criteria

Quality criterion - Name: Quality criterion: Execution of services; comprehension of risks associated with services; management methodology; and programming of the works / Weighting: 40%

Cost criterion - Name: Cost criterion: Final tenders will be assessed against evaluation criteria to determine the most economically advantageous submission. / Weighting: 60%

II.2.6) Estimated value

Value excluding VAT: £450,000

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

Duration in months

25

This contract is subject to renewal

No

II.2.9) Information about the limits on the number of candidates to be invited

Maximum number: 5

Objective criteria for choosing the limited number of candidates:

It is intended that a maximum of five economic operators be taken forward to tender stage.

These economic operators shall be those who have:

- (i) submitted a compliant submission, comprising the completed SPD;
- (ii) satisfied the relevant selection criteria under the exclusion grounds;
- (iii) (a) Minimum Standards of Eligibility - provided evidence of working on specified types of projects over a specified value; and
(b) Technical or Professional Ability - provided evidence demonstrating an acceptable level of technical or professional ability; and
- (c) Human Resources – possess the necessary human resources, qualified appropriately to perform the requirement.
- (iv) quality, environmental and health and safety management systems and appropriate sustainability measures attributing significantly to the requirement put in place;
- (v) satisfied minimum standards of economic and financial standing;
- (vi) achieved the first, second, third, fourth or fifth highest combined weighted scores in respect of technical or professional ability calculated in accordance with the responses to Statements (c), (d), (e), and (f) (refer to Section III.1.3).

However, if an economic operator has not submitted a compliant submission as described in (i) above, failed in respect of either (ii), (iii), (iv), or (v), above, then that economic operator shall be excluded from the ranking of scores described in (vi) as above.

In terms of the Public Contracts (Scotland) Regulations 2015, there will be a requirement on economic operators to provide proof of economic and financial standing and of technical and professional ability prior to proceeding to the next stage of the competition and contract award and the tender documents will contain specific provisions requiring tenderers to inform Transport Scotland of any changes to their economic and financial standing or technical and professional ability during the procurement competition. Further, Transport Scotland reserves the right to undertake further verification to ensure continuing compliance with the selection criteria at any time prior to proceeding to the next stage of the competition and contract award, including during any standstill period. If means of proof does not satisfy Transport Scotland's selection criteria and/or if an economic operator no longer meets the requirements set out in the tender documents it shall be excluded from this procurement competition. If this follows tender evaluation, including during any standstill period, the next ranked most economically advantageous tenderer shall be requested to provide proof of economic and financial standing and technical and professional ability with a view to contract award.

Economic operators who do not meet: selection criteria as set out in this contract notice; requirements leading to exclusion otherwise set out in the tender documents or who would otherwise be excluded automatically under Regulation 58(1)-(3) of the Public Contracts (Scotland) Regulations 2015 or at the discretion (if exercised so as to exclude) of Transport Scotland under Regulation 58(4) or 58(8), shall be excluded from this procurement competition. For the avoidance of doubt, any economic operator who meets the selection criteria at the initial evaluation but subsequently, prior to contract award, fails to meet such criteria, shall be excluded from this procurement competition.

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

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

Economic operators must be enrolled in the relevant professional or trade registers kept in the Member state of its establishment (as described in Schedule 5 of the Public Contracts (Scotland) Regulations 2015) (i.e. registered under Companies House). Economic operators should provide details under Question Ref. 4A.1.

Accreditation/Registration

Under Question Ref. 4A2A of the SPD, economic operators must be registered by the Chartered Institute for Archaeologists (CIfA) or equivalent to provide the services required in this Contract Notice. Economic operators who are not registered, shall not progress beyond the selection stage.

Staff

The successful tenderer shall be required to adopt similar principles to the CDM Regulations (2015) and to comply with all other relevant health and safety law. Additionally all site staff are to be accredited under the Construction Skills Certification Scheme (CSCS) or equivalent.

Management Systems

Under SPD, Question Ref. 4C.7 economic operators shall be required to demonstrate that they have in place appropriate quality, environmental and health and safety management systems.

Quality Management System. This may be European Foundation Quality Model (EFQM) or equivalent; BS EN ISO 9001:2015 (Quality Management Systems); other accredited management system; or own non-accredited management system.

Health and Safety Management System. This may be BS OHSAS 18001:2007 (Occupational Health and Safety Management Systems) and associated standards; other accredited management system; or own non-accredited management system.

Environmental Management System. This may be BS EN ISO 14001:2015 (Environmental Management Systems); other accredited management systems; or own non-accredited management system.

Economic operators should specify their recognised accredited system or own non-accredited system, which shall ultimately be adopted under the Contract. Economic operators who are unable to demonstrate that they in place an appropriate quality, environmental or health and safety management system shall be assessed as a FAIL and shall be excluded from this procurement competition.

III.1.2) Economic and financial standing

List and brief description of selection criteria

Economic operators shall be required to satisfy minimum standards of economic and financial standing. To determine these standards, economic operators shall:

- (a) in response to SPD, Question Ref. 4B.1.a provide the specified annual turnover for the last two years of trading, or for the period which is available if trading for less than two years;
- (b) in response to SPD Question Ref 4B6 provide the name, range and score of nine financial criteria for each year for the last two years of trading, or for the period which is available if trading for less than two years; and
- (c) in response to SPD, Question Ref. 4B.5 confirm they already have or can commit to obtain, prior to commencement of the contract the required levels of insurance.

In addition to the information requested under (a) to (c), economic operators must provide a link/ copies of the associated annual accounts as filed at Companies House (or equivalent if not a UK registered company). For the avoidance of doubt, if an economic operator fails to provide accounts relating to its last two full years of trading that are due to have been filed, that economic operator will be excluded from this procurement competition.

Where Economic Operators have not yet been trading for a full two year period, such that filed accounts are not yet due and available, and limited only to that circumstance, the required information to support (a) to (c) above may take the form of appropriate third party / statements setting out turnover, profit and loss, cashflow (current and forecast) and the economic operator's credit facility position. Note there will, however, be a negative scoring implication as noted below and in the Additional Documents.

This information has been requested to enable Transport Scotland to perform their own assessment and confirm the financial ratios submitted. Ultimately, ensuring the correct score is allocated, and to ensure no misinterpretation. Where there exist differences in ratios, between those provided and those calculated by Transport Scotland, clarification will

be sought.

Minimum level(s) of standards possibly required

Economic operators shall be required to satisfy minimum standards of economic and financial standing. These are described below:

Evaluation Criteria Ratios (Question Ref. 4B.6)

The following nine evaluation criteria shall be scored, for each year for the last two years of trading, or for the period which is available if trading for less than two years:

1. Acid Test Ratio
2. Cash Interest Cover Ratio
3. Return on Capital Employed
4. Operating Profit Ratio
5. Net Worth
6. Gearing
7. Annual Contract Value to Turnover
8. Filed Accounts
9. Audit Report

The scoring mechanism can be downloaded via the Additional Documents, located within the Additional Notice Options of the Public Contracts Scotland portal (www.publiccontractsscotland.gov.uk). For the purpose of calculating the Annual Contract Value to Turnover ratio the estimated value in II.2.6 of this Contract Notice shall be adopted. Similarly, the duration of the contract shall be 25 months. This equates to an estimated value of [216000 GBP] per annum.

The nine evaluation criteria will be individually scored and given a total aggregated score, out of a possible 50 marks, for each year of trading. Subsequently, each year's score will be weighted, with the most recent ("Year 1") weighted at 2/3rds and the previous ("Year 2") weighted at 1/3rd, and then aggregated to form an overall score for the two years out of 50 marks.

If the economic operator is trading for less than 2 years, their financial ratios for the most

recent full year of trading will be weighted at 2/3rds scored out of the total 50 marks. If the economic operator is trading for less than 1 year the information provided under III.1.2) b), will be prorated up to 1 year to calculate financial ratios for the full year and this will be weighted at 2/3rds and scored out of the total 50 marks.

A submission shall be marked as a FAIL and will not be considered further if the score achieved by an economic operator (either a single economic operator or a group of economic operators) is less than 25 marks, out of the potential total aggregated score of 50 marks.

A submission shall be marked as a FAIL and will not be considered further if the economic operator is unable to provide appropriate information to enable the calculation of the financial ratios.

Where the submission has been submitted by a group of economic operators, the information submitted by each group member will be evaluated in the proportion of the percentage shareholdings or percentage equity/interest of each group member and a score determined for such group of economic operators on that basis.

A “group of economic operators” is defined as an unincorporated consortium or joint venture.

Insurance (Question Ref. 4B.5)

In response to Question Ref. 4B5 a, b and c economic operators must confirm they already have or can commit to obtain, prior to the commencement of the framework agreement, the following levels of insurance:

Professional Indemnity Insurance = 5 million GBP

Public Liability Insurance = 5 million GBP

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

In responding to Question Ref 4B.5 a, b and c , where the economic operator responds “No, and I cannot commit to obtain it” they shall be marked as FAIL and shall be excluded from this procurement competition.

III.1.3) Technical and professional ability

List and brief description of selection criteria

For 4C1.2 economic operators shall be required to insert suitable responses to Statements (a) to (f) set out below, demonstrating that they have the required minimum standards of eligibility and technical and professional ability. Answers to these statements shall be

provided by single economic operators and by groups of economic operators (group members should not respond individually).

Response to (a) shall be assessed on the basis of PASS or FAIL. Economic operators who fail to satisfy this minimum standard (either they answer 'No' or fail to provide an acceptable answer) shall be excluded from the procurement competition.

Statement (b) is not scored but is required to be completed.

The responses to (c), (d), (e) and (f) shall be assessed on the basis of a score from 0 – 5, with a minimum threshold. The scoring criteria can be downloaded via the Additional Documents, located within the Additional Notice Options of the Public Contracts Scotland portal (www.publiccontractsscotland.gov.uk).

A submission shall be marked as FAIL and will not be considered further if the score achieved for any statement is less than 2. Where a response is 2 or greater it shall be weighted in accordance with the following weightings: Statement (c) = 30%; Statement (d) = 30%; Statement (e) = 25%; Statement (f) = 15%. The weighted scores shall be aggregated to calculate a score out of 100 for the 4 statements. Words in excess of the maximum word limit for each statement will neither be considered nor scored.

Minimum level(s) of standards possibly required

(a) Within the last 5 years, have you provided archaeological investigation and/or mitigation services for an infrastructure project, where such services contracted have been to the value of at least 50000 GBP (exc of VAT)? If YES, please provide details.

(b) Provide information on up to 5 “reference projects” undertaken in the last 5 years, where you provided invasive archaeological investigations, non-invasive archaeological investigations, archaeological post-excavation services, including specialist analysis, reporting, archiving, remedial conservation and publication. You should detail the scope, size and/or complexity of the services required and your specific role. These reference projects should be used by economic operators to answer Statements (c) to (f).

(c) Working with key stakeholders (weighting 30%) – Detail your approach to working with utility companies, major commercial third parties, and national heritage institutions during archaeological works, ensuring that the rights, interests and requirements of all parties are protected and delivered. Provide an indication of the approaches to the consultation and evidence of the development of mutual value (Max 1000 words).

(d) Communities (weighting 30%) – Detail your approach to engaging with the community, how you managed and mitigated impacts from archaeological investigations on communities and the wider environment (including traffic management), how you addressed and managed community issues and complaints, how you updated communities about activities taking

place, and the effectiveness of any mitigations was assessed. Experience of delivering public engagement events to promote archaeological finds should also be included (Max 1500 words).

(e) Management Systems (weighting 25%) – Detail your approach to ensuring your health and safety environmental compliance and quality management systems, processes and procedures are adhered to by all members of staff. This should include details of how any breaches are managed and mitigated (Max 1000 words).

(f) Fair work and equality practices (weighting 15%) – Detail your approach to ensure equality and Fair Work practices for staff (including any agency or sub-contractor staff) engaged in the delivery of similar services. Provide: evidence of fair and equal pay (including paying the real living wage and pay gap); working hours; commitment to promoting equalities (including stability of employment) and details of employee training initiatives (i.e. skills development, apprenticeships, knowledge promotion/sharing) (Max 1000 words).

III.2) Conditions related to the contract

III.2.2) Contract performance conditions

It is the Employer's policy to measure the performance of the Contractor on a regular basis.

In the event that the Contractor's performance falls below a satisfactory level, the Contractor will be invited to determine a means of rectifying the situation. Repeated or continual service failures may result in suspension or termination of 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

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Restricted 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

14 April 2021

Local time

12:00pm

IV.2.3) Estimated date of dispatch of invitations to tender or to participate to selected candidates

7 May 2021

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: 3 (from the date stated for receipt of tender)

Section VI. Complementary information

VI.1) Information about recurrence

This is a recurrent procurement: No

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

For full additional information please refer to document - VI.3) Supplementary Additional Information saved in additional documents.

The Scottish Ministers shall not evaluate any SPD submission received past the specified deadline, unless the delay is caused by a situation out with the control of the economic operator, the determination of which shall be at the sole discretion of the Scottish Ministers. Compliance in achieving the specified deadline is the sole responsibility of the economic operator. Suppliers are advised to allow adequate time for uploading documents and to dispatch the electronic response well in advance of the closing time to avoid any last minute problems.

Economic operators which alter their composition after making a submission or whose position has materially changed will be the subject of re-evaluation. Transport Scotland reserves the right, at any point, to request current and up-to-date information to enable re-evaluation of any economic operator. As set out in accordance with section II.2.9 above, an economic operator who no longer has the requisite: technical or professional ability; human resources; or economic and financial standing, as required under this Contract Notice shall be excluded from this procurement competition.

Any request by economic operator's for clarification of any part of the documentation shall be made using the Question and Answer feature on the Public Contract Scotland portal. If the query is commercially sensitive then it should be made to the following email address:

andy.anderson@transport.gov.scot.

The decision whether a request for clarification shall be considered commercially sensitive or not rests solely at the absolute discretion of the Scottish Ministers. The deadline to submit

questions relating to the submission is 12pm GMT on 31 March 2021.

NOTE: To register your interest in this notice and obtain any additional information please visit the Public Contracts Scotland Web Site at

https://www.publiccontractsscotland.gov.uk/Search/Search_Switch.aspx?ID=645911.

The buyer has indicated that it will accept electronic responses to this notice via the Postbox facility. A user guide is available at

https://www.publiccontractsscotland.gov.uk/sitehelp/help_guides.aspx.

Suppliers are advised to allow adequate time for uploading documents and to dispatch the electronic response well in advance of the closing time to avoid any last minute problems.

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

<http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2361>

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

(for example) The Scottish Government is committed to contributing to the social, economic & environmental well-being of the people of Scotland, in order to create a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth. Accordingly, while the following community benefit objectives will not be evaluated as part of the tender process, the successful service provider will be expected to present a community benefit proposal with their tender detailing how, in the event that they should be successful in winning the contract, they will address the following Community Benefit themes:

- targeted recruitment & and training for “disadvantaged” persons unemployed for over 6 months;
- graduate placements

(SC Ref:645911)

Download the ESPD document here:

https://www.publiccontractsscotland.gov.uk/ESPD/ESPD_Download.aspx?id=645911

VI.4) Procedures for review

VI.4.1) Review body

Sheriff Clerk’s Office

PO Box 23, 1 Carlton Place

Glasgow

Email

Glasgow@scotcourts.gov.uk

Country

United Kingdom