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Tender

Development Management, Road Safety and Active Travel Support Services Framework

Transport Scotland

F02: Contract notice

Notice identifier: 2023/S 000-006174

Procurement identifier (OCID): ocds-h6vhtk-03ada3

Published 2 March 2023, 1:51pm

Section I: Contracting authority

I.1) Name and addresses

Transport Scotland

5 Atlantic Quay

Glasgow

G2 8LU

Contact

Denise Angus

Email

denise.angus@transport.gov.scot

Telephone

+44 1412727385

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

<http://www.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.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

Development Management, Road Safety and Active Travel Support Services Framework

Reference number

TS/ROADS/SER/2022/03

II.1.2) Main CPV code

- 90712100 - Urban environmental development planning

II.1.3) Type of contract

Services

II.1.4) Short description

Transport Scotland on behalf of the Scottish Ministers have identified the need for a framework (the current framework was let in 2019) that will support the Scottish Ministers to fulfil their duties under the Town and Country Planning (Development Management Procedure)(Scotland) Regulations 2013, and their duties in relation to Development Planning and Management under Planning Circulars 6/2013: Development Planning and 3/2013: Development Management Procedures.

The Development Management Team provides advice to developers and planning authorities on planning applications and development plan related issues where development may impact on the performance and safety of the Trunk Road network.

The main objective to be delivered by the Framework Contractors is audit and advisory support to Transport Scotland on all aspects of the development management processes and to offer more specific support to address road safety objectives as set out in the Scottish Government's Road Safety to 2030 Framework and the Strategic Road Safety Plan. This framework will promote a safe systems approach, by integrating development management and road safety services, and by providing specific advice and support for road safety policy and delivery. The framework is to be expanded from its current scope to support active travel delivery on the Trunk Road Network, and to further support the Scottish Government's Sustainable Transport and Net Zero policy, as well as taking cognizance of the emerging National Planning Framework 4.

The proposed framework will be in place for a period of 3 years with the possibility of a 1 year extension period.

The Scottish Government's Model Service Framework Agreement will be used to award the Framework, and Call Off Contracts will use the Scottish Government's Conditions of Contract.

The Framework's Contractors will be procured in accordance with the Restricted procedure as stated in the Public Contracts (Scotland) Regulations 2015.

Transport Scotland will manage the proposed procurement process on behalf of the Scottish Ministers. In the event of the Framework award, the Contract will be entered into between the Scottish Ministers and the successful Contractors.

II.1.5) Estimated total value

Value excluding VAT: £6,000,000

II.1.6) Information about lots

This contract is divided into lots: Yes

Tenders may be submitted for all lots

II.2) Description

II.2.1) Title

Development Management - Planning Applications Advice and Auditing Support Services

Lot No

1

II.2.2) Additional CPV code(s)

- 71240000 - Architectural, engineering and planning services
- 71410000 - Urban planning services
- 90712000 - Environmental planning
- 30196000 - Planning systems

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

The scope of services for Lot 1 will include but is not limited to:

- Auditing and reporting of Transport Assessments, Development Appraisals, STAG appraisals, DPMTAG submissions, Environmental Impact Assessments, Travel Plans etc for Planning Applications, and Pre-Planning Enquiries
- Provision of a dedicated in-house team to deal with Planning Applications (currently approx 1000pa)
- Provision of dedicated Project/ Quality Managers who will be responsible for overseeing the delivery and quality of service as well as performance management of the wider commission supplier team.
- Provision of Development Planning support as required to assist development management
- Conduct and audit Area Transport Studies
- Preparation of material and attending Public Inquiries etc as an expert witness
- Attendance at and preparation for Progress Meetings
- Attendance at and preparation for Commission Supplier meetings
- Manage and deliver an improved customer experience including provision of a Customer Engagement Officer, undertaking annual customer feedback and surveys
- Actively promote succession planning through the term of the commission
- Prepare material and present training seminars and talks
- Comment on, evaluate and undertake Safety Audits
- Provide specialised Development Management, Road Safety and Active Travel support as required in addition to these specific requirements.

The intention of this competition is to procure three suitably experienced Contractors.

It is intended that on this lot, three contractors will be appointed (lead, first standby and second standby) for situations when contractors have a conflict of interest as regards the particular service required, or another matters arise at the discretion of the Contracting Authority.

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 a SPD, which can be downloaded via the Public Contracts Scotland site. It is anticipated that a total of 5 economic operators will be invited to tender stage.

II.2.5) Award criteria

Quality criterion - Name: Key team - qualifications, experience and capability; commission delivery – key staff; method of approach; and continuous improvement. / Weighting: 70

Price - Weighting: 30

II.2.6) Estimated value

Value excluding VAT: £4,000,000

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

Duration in months

48

This contract is subject to renewal

No

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

Envisaged number of candidates: 5

Objective criteria for choosing the limited number of candidates:

It is intended that five economic operators be taken forward to tender participation 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 (previous annual spend around 850KGBP for lead consultant); and
(b) Technical or Professional Ability - provided evidence demonstrating an acceptable level of technical or professional activity; and
(c) Educational & Professional Qualifications - possess the necessary educational and professional qualifications to perform the requirement
- (iv) has in place quality, environmental and health and safety management systems;
- (v) satisfied minimum standards of economic and financial standing
- (vi) achieved the first, second, third, fourth and fifth highest combined weighted scores in respect of technical or professional ability calculated in accordance with the responses to

Statements (b),(c) and (d) (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 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 competition and award. The tender documents will contain specific provisions requiring tenders to inform Transport Scotland of any changes to their economic and financial standing or technical and professional ability during the procurement competition.

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.

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) Description

II.2.1) Title

Development Management, Road Safety and Active Travel – Support Services

Lot No

2

II.2.2) Additional CPV code(s)

- 71410000 - Urban planning services
- 71240000 - Architectural, engineering and planning services
- 90712000 - Environmental planning
- 30196000 - Planning systems

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

Requirement:

The scope of works will include, but not be limited to:

- Provision of advice and support to the Trunk Road Casualty Reduction and Trunk Road Casualty Reduction Team/ Active Travel Delivery Team as required to support the delivery of the Scottish Government's Road Safety Framework to 2030, Transport Scotland's Strategic Road Safety Plan and wider Road Safety Policies
- Provision of advice and support to the Development Management Team as required to assist and improve the delivery of the Development Management process and to promote innovation and best practice
- Provision of advice and support to the Strategic Road Safety team to plan and deliver active travel measures on the Trunk Road Network
- Conduct and audit area based Transport Studies where these are in support of Development Management, Road Safety and Active Travel outcomes
- The auditing and reporting on submitted Transport Assessments and Environmental Impact Assessments relating to Section 36 applications
- Preparation of specialist material and attending formal meetings as required, such as expert witness in Scottish Parliament Public Inquiries, in support of Development Management and Road Safety Services

- Comment on, evaluate and undertake Road Safety Audits
- Secondment to support the scope of works above.

The intention of this competition is to procure five suitably experienced contractors.

Five contractors allows Transport Scotland to select contractors based on availability of the most technical skills and ability. In addition, this arrangement provides flexibility to cover situations where potential conflicts of interest or capacity issues may occur.

The services will be called off from the Framework Agreement on the basis of technical ability and capacity on a round robin, direct award, approach. In addition, the Employer will have the option to run mini-competitions irrespective of value.

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 a SPD, which can be downloaded via the Public Contracts Scotland site. It is anticipated that a total of 8 economic operators will be invited to tender stage.

II.2.5) Award criteria

Quality criterion - Name: Key team – qualifications, experience and capability; promoting active travel and road safety outcomes; promoting innovation and best practice; and supporting speed management outcomes. / Weighting: 70

Price - Weighting: 30

II.2.6) Estimated value

Value excluding VAT: £2,000,000

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

Duration in months

48

This contract is subject to renewal

No

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

Envisaged number of candidates: 8

Objective criteria for choosing the limited number of candidates:

It is intended that 8 Economic Operators be taken forward to tender participation 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 of similar scope to the work (which has previously ranged from 30kGBP to 150GBP); and
- (b) Technical or Professional Ability - provided evidence demonstrating an acceptable

level of technical or professional activity; and

(c) Educational & Professional Qualifications - possess the necessary educational and professional qualifications to perform the requirement

(iv) has in place quality, environmental and health and safety management systems;

(v) satisfied minimum standards of economic and financial standing

(vi) achieved the first, second, third, fourth, fifth, sixth, seventh and eighth highest combined weighted scores in respect of technical or professional ability calculated in accordance with the responses to Statements (b),(c) and (d) (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 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 competition and award. The tender documents will contain specific provisions requiring tenders to inform Transport Scotland of any changes to their economic and financial standing or technical and professional ability during the procurement competition.

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.

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.a.

Management Systems

Under SPD Question Ref 4D.1 and 4D.2, 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 ISO9001 (Quality Management Systems); other accredited management system or own non accredited management system.

Health & Safety Management System. This may be ISO 45001 (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 ISO 14001 (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 Framework Agreement. Economic operators who are unable to demonstrate that they have in place an appropriate quality, environmental and 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.1.1 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. 4B.6 provide the name, value and/or range of NINE financial criteria 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.5.1a, 4B.5.1b and 4B.5.2 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) and (b), economic operators are required to provide a link / copies of the associated annual accounts as filed at Companies House (or equivalent if not a UK registered company) for the last two years of trading, or for the period which is available if less than two years.

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 financial information received under SPD, Question Ref. 4B.6 shall be evaluated and scored out of 50 by allocating a score against nine individual economic and financial standing evaluation criteria, namely:

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 individual scores shall be weighted , with the most recent (“Year 1”) financial statements weighted at 67% and the previous (“Year 2”) statements being weighted at 33%, to form an aggregated score for each of the nine criteria over the two years.

The maximum cumulative score resulting from the summation of the nine economic and financial standing aggregated scores shall be 50 marks. A submission shall be marked as a FAIL and will not be considered further if the score achieved by a Single Economic Operator or a Group of Economic Operators is less than 50 percent of the available marks. The scoring mechanism can be downloaded via the Public Contracts Scotland portal www.publiccontractsscotland.gov.uk.

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.

Insurance (Question Ref. 4B.5.1a, 4B.5.1b and 4B.5.2)

In response to Question Ref. 4B.5.1a and 4B.5.2 economic operators must confirm they already have or can commit to obtain, prior to the commencement the following levels of insurance:

Public Liability Insurance = 10,000,000 GBP

Professional Indemnity Insurance = 10,000,000 GBP

And, in response to Question Ref. 4B.5.1b economic operators must confirm they already have or can commit to obtain any other insurance, including Employers Liability, required by the Contract or by the appropriate legislation, with a sum insured / limit of indemnity to satisfy the Contract or legal requirements.

In responding to Question Ref. 4B.5.1a, 4B.5.1b and 4B.5.2 of the SPD, where the bidder

ticks the box "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

Under SPD, Question Ref. 4C.7 economic operators shall be required to provide details of the environmental management measures which they will be able to use when performing the contract.

Under 4C.1.2, economic operators will be required to insert suitable references 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). Statement (a) is not scored but is required to be completed. The responses to Statements (b), (c) and (d) shall be assessed on the basis of a score, using the scoring mechanism table supplied in the supporting documents section.

Economic Operators are also required to complete the "Priority Contract" Climate Change Plan Template which can be found in the additional documents section of the Contract Notice.

Under SPD, Question Ref. 4C.1.1/ 4C1.2 economic operators shall be required to insert suitable responses to Statements (e), (f), and (g) demonstrating that they have in place an appropriate quality, environmental and health and safety management systems. Economic Operators should specify their recognised accredited system or own non-accredited system, which will ultimately be adopted if awarded the contract.

Subsequently, under SPD, Question Ref. 4D.1 & 4D.2 economic operators are required to confirm their compliance and be able to provide the appropriate certification.

The responses to Statements (e), (f), (g) and (h) shall each be assessed on the basis of PASS or FAIL. Economic operators who obtain a FAIL in any of their responses shall not be considered further in this procurement competition.

Minimum level(s) of standards possibly required

Questions/requirements in relation to SPD Question Ref. 4C.2, 4C.6.1, 4C.7, 4D1 and 4D2 for each individual lot can be found in the the Supplementary Information Document, which can be accessed via the Public Contracts Scotland portal www.publiccontractsscotland.gov.uk.

III.2) Conditions related to the contract

III.2.2) Contract performance conditions

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

In the event that the Economic Operator's performance falls below a satisfactory level, the Economic Operator 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.

Further details will be contained within the tender documents.

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.1.3) 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: 8

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

4 April 2023

Local time

12:00pm

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

3 May 2023

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: Yes

Estimated timing for further notices to be published: 12 months prior from the expiry of the Framework

VI.2) Information about electronic workflows

Electronic invoicing will be accepted

Electronic payment will be used

VI.3) Additional information

Transport Scotland will conduct the proposed procurement process for the Framework Agreement on behalf of the Scottish Ministers. In the event of the conclusion of the Contract, it is the intention that the Contract will be entered into between the Scottish Ministers and the most economically advantageous tenderers. The Framework Agreement will operate in accordance with the Scottish Government's Model Services Framework Agreement, and the Contract Terms and Conditions will be based on the Scottish Government's Conditions of Contract. Each economic operator shall be invited to submit a Tender on the same contract terms.

To be considered for this procurement competition, economic operators should complete a SPD through the Public Contract Scotland portal and submit the completed SPD by no later than 12 noon BST on 4 April 2023.

The Scottish Ministers shall not evaluate any SPD submission received past the specified deadline, unless the delay is caused by a situation outwith 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. Economic operator 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 who 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; educational and professional qualifications; or economic and financial standing, as required under the Contract Notice shall be excluded from this procurement competition.

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

Denise.Angus@transport.gov.scot

Please refer to the Supplementary Additional Information Document for full additional information.

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=719374.

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.

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:

Sub contractor involvement if required will be minimal

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:

Training provided to support the required work.

Use of SMES to deliver work on the framework.

(SC Ref:719374)

Download the ESPD document here:

https://www.publiccontractsscotland.gov.uk/ESPD/ESPD_Download.aspx?id=719374

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

Internet address

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