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Tender

Access to Argyll and Bute (A83)

Transport Scotland

F02: Contract notice

Notice identifier: 2021/S 000-007204

Procurement identifier (OCID): ocds-h6vhtk-02a395

Published 8 April 2021, 11:16am

Section I: Contracting authority

I.1) Name and addresses

Transport Scotland

Buchanan House, 58 Port Dundas Road

Glasgow

G4 0HF

Contact

Gordon Ramsay

Email

Gordon.Ramsay@transport.gov.scot

Telephone

+44 7717498740

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

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

I.4) Type of the contracting authority

Ministry or any other national or federal authority

I.5) Main activity

Other activity

transport

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Access to Argyll and Bute (A83)

Reference number

TS/MP/SER/2021/02

II.1.2) Main CPV code

- 71311000 - Civil engineering consultancy services

II.1.3) Type of contract

Services

II.1.4) Short description

Transport Scotland is an agency of the Scottish Government and contracts in the name of and on behalf of the Scottish Ministers. Over the forthcoming years Transport Scotland has identified the requirement to appoint suitably qualified and experienced multi-disciplinary consultants ("Consultants") for provision of services to support delivery of a new length of trunk road at the Rest and be Thankful (A83) in

Argyll and Bute. Services sought include DMRB scheme development and assessment, promotion of statutory consents through the Roads (Scotland) Act 1984 consenting framework including Environmental Impact Assessment, procurement of construction suppliers and site supervision.

II.1.5) Estimated total value

Value excluding VAT: £25,000,000

II.1.6) Information about lots

This contract is divided into lots: No

II.2) Description

II.2.2) Additional CPV code(s)

- 71311000 - Civil engineering consultancy services
- 71311200 - Transport systems consultancy services
- 71311210 - Highways consultancy services
- 71311220 - Highways engineering services
- 71311300 - Infrastructure works consultancy services
- 71312000 - Structural engineering consultancy services
- 71313000 - Environmental engineering consultancy services
- 71313400 - Environmental impact assessment for construction
- 71313410 - Risk or hazard assessment for construction
- 71332000 - Geotechnical engineering services
- 71351200 - Geological and geophysical consultancy services
- 71310000 - Consultative engineering and construction services
- 71300000 - Engineering services

II.2.3) Place of performance

NUTS codes

- UKM63 - Lochaber, Skye & Lochalsh, Arran & Cumbrae and Argyll & Bute

Main site or place of performance

Argyll and Bute

II.2.4) Description of the procurement

As a consequence of increased slope failures at the A83 Rest and be Thankful, Transport Scotland, on behalf of the Scottish Ministers, has identified the requirement to appoint multi-disciplinary Consultants to develop a scheme to provide a long term, resilient improvement to the trunk road network at this location. Some corridor sifting and baseline route options work has been completed and is available to view at Access to Argyll and Bute (A83) (transport.gov.scot). The consultant is required to provide Design Manual for Roads and Bridges (DMRB) scheme assessment work, assist in the promotion of the statutory consents and the procurement of contracting services. The consultant is required to provide site supervision services.

Transport Scotland wishes to address current accessibility issues in the corridor as quickly as possible and the consultant will be required to advise on methods to shorten the development and promotion process. In addition, an interim proportionate route is also required to be

delivered to provide additional resilience whilst the long term scheme is being developed. Again some options development and scoping is underway and the consultant may be required to develop this work into a deliverable scheme to a short timeframe.

The Consultant shall provide and perform the Services as instructed by the Employer that may include:

- (i) overall management of the Scheme;
- (ii) undertaking engineering, environmental assessment and transport modelling and assessment of the impacts on the trunk road, local road and public transport of the Scheme;
- (iii) assessment of buildability and health and safety aspects of any Specimen Design(s);
- (iv) development of and delivery of the Scheme programme;
- (v) preparation and maintenance of Scheme and Project cost estimates;
- (vi) preparation of statutory consents documentation and support at any inquiry or hearing.
- (vii) preparation of procurement documents and contract documents for constructor(s) for the Scheme or parts of the Scheme, assisted as relevant by other specialist consultant(s) or specialist organisation(s) appointed for the Scheme or part of the Scheme;
- (viii) acting as the Engineer or Employer's Representative as relevant during the construction phase(s) of the Scheme or parts of the Scheme.

Example work packages have been provided as a guide and can be downloaded via the Additional Documents located within the Additional Notice Options of the Public Contracts Scotland portal. This is a guide only and the actual work packages to be included in the contract will be provided at tender stage.

It is envisaged that the services shall be provided at the Consultants own offices, with attendance required on an ad-hoc basis at Transport Scotland's offices and construction sites. On occasion, the provider may be required to attend other locations within Scotland as and when required, including attending meetings at Transport Scotland's main Glasgow office or other stakeholder offices or construction site offices when required.

The Consultant will be procured through the restricted procedure, a procedure under 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 summarises the criteria for choosing the limited number of candidates to be taken forward to tender stage.

In order to be considered for this procurement competition, economic operators must complete and submit a Single Procurement Document (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.

II.2.5) Award criteria

Quality criterion - Name: Likely quality criteria - approach to execution of services, technical competency and processes, staff/resources and management systems all to be stated in the tender documentation / Weighting: 60%

Cost criterion - Name: Final tenders will be assessed against evaluation criteria to determine the most economically advantageous submission / Weighting: 40%

II.2.6) Estimated value

Value excluding VAT: £25,000,000

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

Duration in months

120

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 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;
- (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.

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

Prior to 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) or at the discretion of Transport Scotland under Regulation 58(4) or 58(8), shall be excluded from this procurement competition.

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.

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 Construction Safety Scheme (CSCS) or equivalent

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 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 Framework Agreement. 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 120 months. This equates to an estimated value of 2.5M 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 = 10 million GBP

Employer's (Compulsory) Liability Insurance = 10 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).

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) = 20%; Statement (d) = 40%; Statement (e) = 30%; Statement (f) = 10%. 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

Statement (a) – (PASS/FAIL) Within the last 5 years, have you been the principal designer acting for the main client or the main contractor providing the required consultancy services in relation to the project management, feasibility work, design (including statutory processes), procurement, and construction stages of a road project with a construction cost of at least 200 million GBP or a fee value of at least 15 million GBP in 2020 prices exclusive of VAT? If YES, please provide details. (Max 500 Words).

Statement (b) – (NOT SCORED) Provide information on no more than 5 "reference projects" which reflect your previous experience in undertaking a range of multi-disciplinary consultancy services for road projects, predominantly carried out within the last 5 years. Detail your role and the scope, including size and complexity, of the relevant services performed on each of the reference projects. These 5 reference projects should be used by economic operators to answer Statements (c) to (f). Such reference projects must relate to road projects, which should include one or more of the most relevant and appropriate services listed in Statement (a), to enable a response to Statements (c) to (f). It may be that one reference project is used to respond to more than one Statement ((c) to (f)); or you need to use more than one reference project to respond to just one Statement ((c) to (f)). (Max 500 Words per reference project).

Statement (c) Scheme Management and Leadership – (Weighting 20%). Provide details from one or more of the reference projects of:

(i) the team structure you have implemented by means of a single page organogram. (Weighting 5%)

(ii) the roles and responsibilities of the staff that were key to driving effective communication across the team (Max 200 words and one A4 side) (Weighting 5%)

(iii) How you ensured that the client and stakeholder vision for the project was successfully embedded in the teams approach to delivery (Max 300 words and two A4 sides) (Weighting 10%)

Statement (d) - Design and Assessment (Weighting 40%). Provide details from one or more of the reference projects of how you approached the development of a scheme to balance the requirements of minimising promotional risk whilst embedding buildability value for money principles. (Max 750 words and two A4 sides)

Statement (e) Specialist advice (Weighting 30%). Provide details from one or more of the reference projects of how you undertook specialist survey and/or technical assessment and distilled that into key themes or outcomes that informed design decisions and were capable of being understood by stakeholders including the public. (Max 500 words and two A4 sides)

Statement (f) Fair work (Weighting 10%) - Provide details of your experience on the reference projects of embedding fair work practices in your approach to the management of staff and services. (Max 200 words and one A4 side).

III.2) Conditions related to the contract

III.2.1) Information about a particular profession

Execution of the service is reserved to a particular profession

Reference to the relevant law, regulation or administrative provision

Subject to the other provisions of the contract, the legislation, policy, standards and specifications with which the Consultant shall comply will include:

- Scottish Government policies and plans as they relate to the services
- Roads (Scotland) Act 1984
- The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations

2017

- UK Department for Transport Standards for Highways, specifically:
- Design Manual for Roads and Bridges (DMRB)
- Manual of Contract Documents for Highway Works (MCHW)

- Transport Scotland Interim Amendments (TSIA)
- Eurocodes
- BS EN and BS EN ISO standards
- BS Codes of Practice

Furthermore, it is the intention that, if awarded the contract, the Consultant shall be required to undertake the role of principal designer under the Construction (Design and Management) Regulations 2015.

III.2.2) Contract performance conditions

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

In the event that the Consultant performance falls below a satisfactory level, the Consultant 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.

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

12 May 2021

Local time

12:00pm

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

16 June 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

The concluded Contract will be entered into between the Scottish Ministers and the most economically advantageous tenderer. Each economic operator shall be invited to submit a Tender on the same contract terms.

Economic operators should complete an SPD through the PCS portal and submit it no later than 12 noon BST on 12 May 2021. The Scottish Ministers shall not evaluate any SPD received past the deadline, unless the delay is caused by a situation out with the control of the economic operator, determination of which shall be at the discretion of the Scottish Ministers.

Economic operators which alter their composition after making a submission or whose position has materially changed will be re-evaluated. Transport Scotland reserves the right, at any point, to request current and up-to-date information to enable re-evaluation of any economic operator. An economic operator who no longer has the requisite technical or professional ability or economic and financial standing, as required under this Contract Notice shall be excluded from this procurement.

Requests for clarification of any part of the documentation shall be made using the Question and Answer feature on the PCS portal. If the query is commercially sensitive it should be made to the following email address: Gordon.Ramsay@transport.gov.scot.

The decision whether a request for clarification shall be considered commercially sensitive or not rests at the discretion of the Scottish Ministers. The deadline to submit questions is 12pm GMT on 5 May 2021.

Neither Transport Scotland nor the Scottish Ministers shall be responsible in any way to economic operators as a result of any delay or failure in answering any request for

clarification or any decision not to answer a request for clarification (in full or part). Absence of a response from Transport Scotland or the Scottish Ministers shall not entitle economic operators to qualify their submission.

The Scottish Ministers reserve the right not to conclude any Contract as a result of this procurement and to make whatever changes they deem appropriate to the the procurement process.

Transport Scotland and the Scottish Ministers shall have no liability for any costs incurred by those participating in the competition.

Economic operators should be aware that all information submitted may need to be disclosed and/or published by the Scottish Ministers in compliance with the Freedom of Information (Scotland) Act 2002.

The project embeds good quality and fair work which will be assessed as part of this procurement and monitored under the Contract.

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=650002.

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:

a single supplier is sought for continuity of service

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:

The successful service provider will be expected to present a community benefit proposal with their tender detailing how they will address the following themes: education and skills, regional sectoral support.

(SC Ref:650002)

Download the ESPD document here:

https://www.publiccontractsscotland.gov.uk/ESPD/ESPD_Download.aspx?id=650002

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