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Tender

## **NEC3 Clyde Bridge Replacement Project**

South Lanarkshire Council

F02: Contract notice

Notice identifier: 2022/S 000-010229

Procurement identifier (OCID): ocds-h6vhtk-032591

Published 19 April 2022, 4:30pm

### **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

<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

<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**

NEC3 Clyde Bridge Replacement Project

Reference number

SLC/PS?COMENT/21/236

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

- 45000000 - Construction work

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

Works

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

South Lanarkshire Council are proceeding with the construction of a 90-metre single span proprietary steel bridge to replace the existing reinforced concrete bridge structure, subject to the Council acquiring the land required for the project as set out below. The proposed structure includes a 4.2m wide carriageway with an additional footway of minimum width 1.05m. The new structure will be constructed off-line of the existing bridge. The proposed carriageway on approach to the structure will follow a new alignment and will include new approach roads to the north and south which will tie into the existing C29 Pettinain Road.

The proprietary bridge will be supported on reinforced concrete abutments which, in turn, will be supported by piled foundations. On the north approach the structure will also include wing walls which will not be connected to the abutment and will behave as retaining walls. On the south approach the structure will include wing walls which will not be connected to the abutment and will behave as retaining walls and a cattle creep structure.

The superstructure is proposed to be launched from the south abutment and a launching area for this purpose will be built.

In addition to this the design also includes for the replacement of a cattle creep structure located approximately 350m south of Clyde Bridge and the infilling of a culvert located approximately 270m south of Clyde Bridge.

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

Value excluding VAT: £6,000,000

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

This contract is divided into lots: No

## **II.2) Description**

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

- 45000000 - Construction work
- 45111100 - Demolition work

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

NUTS codes

- UKM95 - South Lanarkshire

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

The conditions of contract will be NEC3 Engineering and Construction Contract (ECC), Option B. Reference should be made to any experience of the NEC ECC Option B, other options or other NEC contracts. Experience in other forms of contract which incorporate similar principals of contract management as the NEC can be used.

A restricted tendering procurement process is being adopted:

Stage 1 – PQQ: The Council will rank the Bidders accordingly to the scores received in the Technical Evaluation. The Council anticipate that the 5 ranked highest scoring Bidders in the Technical evaluation will progress to Stage 2 – Tender and will be invited to submit tenders.

Stage 2 – Tender: which will be a price / quality assessment based on a 80% price / 20% quality split.

Contract period – The contract period is anticipated to commence in November 2022 2022 and be completed by November 2023.

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

Quality criterion - Name: Technical / Weighting: 20

Price - Weighting: 80

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

Duration in months

12

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

**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

Subcontractors on whose capacity the bidder does not rely

Bidders who are selected to submit an ITT will be asked whether they intend to subcontract within the ITT (Stage 2) Tender. A shortened version of the SPD covering the exclusion grounds will require to be completed by each Subcontractor so identified and uploaded within the ITT (Stage 2) Technical Envelope.

Exclusion Criteria

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

SPD Questions 3A and 3C have been identified as mandatory exclusion grounds and SPD Questions 3B and 3D have been identified as discretionary exclusion grounds. All the exclusion grounds will be dealt with on a PASS/FAIL basis. In respect of the mandatory exclusion grounds a bid will be excluded where a bidder fails to provide either a positive response or to provide details to the satisfaction of the Council of the self cleansing measures undertaken. In respect of the discretionary exclusion grounds a bid may be excluded where a 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.

#### **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.

Professional Indemnity Insurance covering the failure of the bidder to use the skill and care normally used by professionals providing the services described in this tender 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 Technical and Professional Ability**

With reference to the nature and details of the works that are the subject matter of this tender, It is a requirement of this tender that the Bidder can demonstrate in their response to question 4C.1 below, that they have held contracts of a similar nature, size, and value to the requirements of this project within the last five years. A minimum of 3 examples and a maximum of 5 should be provided.

Examples for the questions in this section should be based on, and with direct relevance to the information in the Contract Notice and the general layout drawing in the attachment area (attachment number 5). Bidders are advised to review this information prior to submitting their response.

The conditions of contract will be NEC3 Engineering and Construction Contract (ECC), Option B.

Responses should also make reference to any experience of the NEC ECC Option B, other options or other NEC contracts. Experience in other forms of contract which incorporate similar principals of contract management as the NEC can be used.

Answers should reference how the contract was operated under these management techniques i.e. dealing with early warnings, risk reduction, compensation events etc

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. Responses to the question in this section should be based on, and with direct relevance to the information in the Contract Notice and the general layout drawing in the attachment area (attachment number 5). Bidders are advised to review this information prior to submitting their response.

#### **SPD Question 4C.7 Technical and Professional Ability (Environmental Management Measures)**

Bidders will be required to confirm that they will employ environmental management measures that meet the requirements of the project. Responses to the question in this section should be based on, and with direct relevance to the information in the Contract Notice and the general layout drawing in the attachment area (attachment number 5). Bidders are advised to review this information prior to submitting their response.

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

Bidders will be required to confirm within the ITT (Stage 2, Technical Envelope) whether they intend to subcontract and, if so, for what proportion of the contract

#### SPD Question 4D.1 Quality Assurance Schemes – Optional Statement

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

ISO9001 Quality Management (or equivalent)

A Health & 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:

ISO 140001:2015 Environmental Management Systems (or equivalent) or - Eco-Management and Audit Scheme (EMAS)

### **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**

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.2.1) Previous publication concerning this procedure**

Notice number: [2022/S 000-007927](#)

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

Date

19 May 2022

Local time

12:00pm

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

23 June 2022

#### **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: 4 (from the date stated for receipt of tender)

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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 a restricted tendering procedure, prior to the issue of invitation to tender, the bidders who are being recommended for issue of tenders 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

SPD Question 3D.3 Human Rights Act Declaration

SPD Question 3D.11 Non-Collusion Certificate

SPD Question 4D.1 Health and Safety Declaration

SPD Question 4B.5.1 Insurance Certificates

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

SPD Question 4A.2 Registered Provider under the SIA Approved Contractor Scheme

SPD Question 4C.6 Security Industry Act Licence

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

SPD Question 3A.6 Modern Slavery Act 2015 Declaration

Declaration Section Signature Page (for PQQ Stage 1)

\*The 'Form of Offer to Tender' must be completed and uploaded within the relevant

question in the Commercial Envelope.

In the case of a restricted tendering procedure this information will be requested by the Council prior to the issue of invitation to tender to the selected bidders.

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 PQQ exercise. The Project code is 21137. 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 in the tender documents

(SC Ref:690700)

## **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)