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Tender

## **New Build Residential Construction**

Scotland Excel

F02: Contract notice

Notice identifier: 2024/S 000-011066

Procurement identifier (OCID): ocds-h6vhtk-03980a

Published 5 April 2024, 10:42am

The closing date and time has been changed to:

**11 June 2024, 12:00pm**

See the [change notice](#).

## **Section I: Contracting authority**

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

Scotland Excel

Renfrewshire House, Cotton Street

Paisley

PA1 1AR

#### **Email**

[construction@scotland-excel.org.uk](mailto:construction@scotland-excel.org.uk)

#### **Telephone**

+44 1414888230

## **Country**

United Kingdom

## **NUTS code**

UKM83 - Inverclyde, East Renfrewshire and Renfrewshire

## **Internet address(es)**

Main address

<http://www.scotland-excel.org.uk>

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA10383](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA10383)

## **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

<https://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

<https://www.publictendersscotland.publiccontractsscotland.gov.uk/>

## **I.4) Type of the contracting authority**

Body governed by public law

## **I.5) Main activity**

General public services

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## **Section II: Object**

### **II.1) Scope of the procurement**

#### **II.1.1) Title**

New Build Residential Construction

Reference number

2121

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

- 45211000 - Construction work for multi-dwelling buildings and individual houses

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

Works

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

This framework is for new build construction of residential developments. It is anticipated that the majority of schemes under this framework will comprise properties for social rent, although councils may utilise the framework for other tenure, mixed tenure

and any other residential schemes with particular requirements (e.g. care homes, supported living accommodation, student accommodation, temporary accommodation).

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

Value excluding VAT: £1,500,000,000

#### **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 of 1-16 units - Build Only

Lot No

1

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

- 45211100 - Construction work for houses
- 45211300 - Houses construction work
- 45211000 - Construction work for multi-dwelling buildings and individual houses
- 45220000 - Engineering works and construction works
- 71320000 - Engineering design services
- 71312000 - Structural engineering consultancy services
- 45211340 - Multi-dwelling buildings construction work
- 45211341 - Flats construction work
- 45215210 - Construction work for subsidised residential accommodation
- 45215214 - Residential homes construction work

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

NUTS codes

- UKM - Scotland

Main site or place of performance

Various locations within the geographical boundaries of the participating councils and associate members in Scotland.

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

This lot is for the development of 1-16 units - build only.

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

Quality criterion - Name: Technical / Weighting: 40

Price - Weighting: 60

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

Value excluding VAT: £3,000,000

### **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.2.10) Information about variants**

Variants will be accepted: No

### **II.2.11) Information about options**

Options: Yes

Description of options

The Framework Contract will run for two years from the starting date with an option to extend for up to a further 24 month period subject to satisfactory operation and performance. Any period of extension will be at the sole discretion of Scotland Excel.

### **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**

Economic operators may be excluded from this competition if they are in any of the situations referred to in Regulation 58 of the Public Contracts (Scotland) Regulations 2015. Please see the Invitation to Tender contained on the PCS-Tender project relevant to this procurement and the other Tender Documents for further information.

## **II.2) Description**

### **II.2.1) Title**

Development of 1-16 units - Design and Build

Lot No

2

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

- 45211100 - Construction work for houses
- 45211300 - Houses construction work
- 45211000 - Construction work for multi-dwelling buildings and individual houses
- 45220000 - Engineering works and construction works
- 71320000 - Engineering design services
- 71312000 - Structural engineering consultancy services
- 45211340 - Multi-dwelling buildings construction work
- 45211341 - Flats construction work
- 45215210 - Construction work for subsidised residential accommodation
- 45215214 - Residential homes construction work

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

NUTS codes

- UKM - Scotland

Main site or place of performance

Various locations within the geographical boundaries of the participating councils and associate members in Scotland.

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

This lot is for the development of 1-16 units - Design and Build.

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

Quality criterion - Name: Technical / Weighting: 40

Price - Weighting: 60

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

Value excluding VAT: £6,000,000

#### **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.2.10) Information about variants**

Variants will be accepted: No

#### **II.2.11) Information about options**

Options: Yes

Description of options

The Framework Contract will run for two years from the starting date with an option to extend for up to a further 24 month period subject to satisfactory operation and performance. Any period of extension will be at the sole discretion of Scotland Excel.

### **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**

Economic operators may be excluded from this competition if they are in any of the situations referred to in Regulation 58 of the Public Contracts (Scotland) Regulations 2015. Please see the Invitation to Tender contained on the PCS-Tender project relevant to this procurement and the other Tender Documents for further information.

## **II.2) Description**

### **II.2.1) Title**

Development of 17-35 units

Lot No

3

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

- 45211100 - Construction work for houses
- 45211300 - Houses construction work
- 45211000 - Construction work for multi-dwelling buildings and individual houses
- 45220000 - Engineering works and construction works
- 71320000 - Engineering design services
- 71312000 - Structural engineering consultancy services
- 45211340 - Multi-dwelling buildings construction work
- 45211341 - Flats construction work
- 45215210 - Construction work for subsidised residential accommodation
- 45215214 - Residential homes construction work



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

NUTS codes

- UKM - Scotland

Main site or place of performance

Various locations within the geographical boundaries of the participating councils and associate members in Scotland.

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

This lot is for development of 17-35 residential units.

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

Quality criterion - Name: Technical / Weighting: 40

Price - Weighting: 60

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

Value excluding VAT: £37,500,000

### **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.2.10) Information about variants**

Variants will be accepted: No

### **II.2.11) Information about options**

Options: Yes

## Description of options

The Framework Contract will run for two years from the starting date with an option to extend for up to a further 24 month period subject to satisfactory operation and performance. Any period of extension will be at the sole discretion of Scotland Excel.

### **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**

Economic operators may be excluded from this competition if they are in any of the situations referred to in Regulation 58 of the Public Contracts (Scotland) Regulations 2015. Please see the Invitation to Tender contained on the PCS-Tender project relevant to this procurement and the other Tender Documents for further information.

## **II.2) Description**

### **II.2.1) Title**

Development of 36-80 units

Lot No

4

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

- 45211100 - Construction work for houses
- 45211300 - Houses construction work
- 45211000 - Construction work for multi-dwelling buildings and individual houses
- 45220000 - Engineering works and construction works
- 71320000 - Engineering design services
- 71312000 - Structural engineering consultancy services
- 45211340 - Multi-dwelling buildings construction work

- 45211341 - Flats construction work
- 45215210 - Construction work for subsidised residential accommodation
- 45215214 - Residential homes construction work

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

NUTS codes

- UKM - Scotland

Main site or place of performance

Various locations within the geographical boundaries of the participating councils and associate members in Scotland.

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

This lot is for development of 36-80 residential units.

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

Quality criterion - Name: Technical / Weighting: 40

Price - Weighting: 60

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

Value excluding VAT: £48,000,000

### **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.2.10) Information about variants**

Variants will be accepted: No

### **II.2.11) Information about options**

Options: Yes

Description of options

The Framework Contract will run for two years from the starting date with an option to extend for up to a further 24 month period subject to satisfactory operation and performance. Any period of extension will be at the sole discretion of Scotland Excel.

### **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**

Economic operators may be excluded from this competition if they are in any of the situations referred to in Regulation 58 of the Public Contracts (Scotland) Regulations 2015. Please see the Invitation to Tender contained on the PCS-Tender project relevant to this procurement and the other Tender Documents for further information.

## **II.2) Description**

### **II.2.1) Title**

Development of 81 units and over

Lot No

5

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

- 45211100 - Construction work for houses
- 45211300 - Houses construction work
- 45211000 - Construction work for multi-dwelling buildings and individual houses
- 45220000 - Engineering works and construction works

- 71320000 - Engineering design services
- 71312000 - Structural engineering consultancy services
- 45211340 - Multi-dwelling buildings construction work
- 45211341 - Flats construction work
- 45215210 - Construction work for subsidised residential accommodation
- 45215214 - Residential homes construction work

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

NUTS codes

- UKM - Scotland

Main site or place of performance

Various locations within the geographical boundaries of the participating councils and associate members in Scotland.

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

This lot is for development of 81 residential units and over.

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

Quality criterion - Name: Technical / Weighting: 40

Price - Weighting: 60

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

Value excluding VAT: £57,000,000

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

Duration in months

This contract is subject to renewal

No

#### **II.2.10) Information about variants**

Variants will be accepted: No

#### **II.2.11) Information about options**

Options: Yes

Description of options

The Framework Contract will run for two years from the starting date with an option to extend for up to a further 24 month period subject to satisfactory operation and performance. Any period of extension will be at the sole discretion of Scotland Excel.

#### **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**

Economic operators may be excluded from this competition if they are in any of the situations referred to in Regulation 58 of the Public Contracts (Scotland) Regulations 2015. Please see the Invitation to Tender contained on the PCS-Tender project relevant to this procurement and the other Tender Documents for further information.

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

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

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

List and brief description of selection criteria

1.SPD (Scotland) Questions 4B.5.1b and 4B.5.2: Insurance Requirements

2.SPD (Scotland) Question 4B.6: Other Economic & Financial Requirements

In accordance with Regulation 59(12), as this proposed Framework Agreement is divided into Lots, these Economic and Financial Standing selection criteria apply separately in relation to each individual Lot.

Minimum level(s) of standards possibly required

Tenderers must confirm that they already have, or can commit to obtain prior to the commencement of the Framework Contract, the following types and minimum levels of insurance cover on terms compatible with the requirements of the Framework Contract:-

- Employers Liability - minimum 10m GBP, each and every claim
- Public and Products Liability - minimum 10m GBP, each and every claim (but in the aggregate for products)
- Professional indemnity - minimum 5m GBP, each and every claim and in the aggregate (those bidding for lot 1 only will not be required to provide Professional Indemnity insurance).
- Contractors All Risk - Contract Works insurance with a Limit per Contract of not less than the value of the works plus 15%
- Statutory third party motor vehicle insurance

Tenderers must note that these minimum levels of insurance are required to be awarded onto the framework, however, the Councils may request an increase to the minimum level of insurance cover required when awarding a Work Order under the Framework

LIMITATIONS ON LIABILITY are detailed in the published terms and conditions of contract.  
FURTHER LIMITATIONS on LIABILITY ARE NOT ACCEPTED

A search of the tenderer against Equifax's ScoreCheck and Protect must not result in a "Rating", "Warning" or "Caution" return which identifies financial risk, unless the tenderer confirms that it can provide any other document which Scotland Excel considers appropriate to prove to Scotland Excel (acting within its permitted discretion under the applicable public procurement rules) that the tenderer does/would not present an unmanageable risk should it be appointed on to the proposed Framework Agreement.

Equifax's Protect is a fraud indicator / credit risk search and analysis of five areas of threat in relation to a particular company: credit history; disqualification; validation and investigation bureau; connected data; and bureau information.

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

List and brief description of selection criteria

In accordance with Regulation 59(12), as this proposed Framework Agreement is divided into Lots, these Technical and Professional ability selection criteria apply.

-SPD (Scotland) Question 4C.10 – Subcontracting

-SPD (Scotland) Question 4C.12 - Certificates

-SPD (Scotland) Question 4D.1 - Quality Assurance Schemes and Health and Safety Procedures

-SPD (Scotland) Question 4D.2 - Environmental Management Standards

Minimum level(s) of standards possibly required

Further to the identified selection criteria outlined above, full guidance and the minimum levels of standards required are outlined in the "2121 New Build Residential Construction\_III.1.3 Technical and Professional Ability" document, which can be found in the "Contract Notice" folder in the Buyer Attachment area, within ITT 48521 of project 23500.

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

### **III.2.2) Contract performance conditions**

Please note - Scotland Excel may impose particular conditions in relation to performance of the contract by a group of economic operators (for example by requiring joint and several liability) and may require the group to assume a specific legal form for the purposes of the award of the contract.

For more information, please refer to the tender documents which are available in the PCS-T



project for this exercise.

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## **Section IV. Procedure**

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

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

Open 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: 25

#### **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: [2023/S 000-001352](#)

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

Originally published as:

Date

13 May 2024

Local time

12:00pm

Changed to:

Date

11 June 2024

Local time

12:00pm

See the [change notice](#).

#### **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**

Tender must be valid until: 29 November 2024

#### **IV.2.7) Conditions for opening of tenders**

Date

13 May 2024

Local time

12:00pm

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## **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**

Tenderers are advised that the envisaged maximum number of participants that might be appointed to the proposed framework agreement set out in section IV.1.3 of this contract notice is purely indicative. Scotland Excel reserves the right to appoint more or less bidders than the envisaged maximum number to the proposed framework agreement.

Rebates apply to this framework.

Further information regarding the operation of the framework and the tendering requirements can be found within the tender documentation which is available in the relevant PCS-T project for this procurement exercise.

Tenderers are requested to agree to the community benefits approach as set out in the ITT. Where agreed, if successful in award onto the framework and if a Work Order is awarded through the framework, consultants will be required to:

1. Upon award of the Work Order proactively engage with the Council to agree the selection of community benefit outcomes and how these will be monitored between the parties (including reporting and reviews).
2. Commence implementing the community benefits immediately, or as soon as reasonably possible, upon being appointed a Work Order.
3. Inform Scotland Excel of the selection of community benefit outcomes which have been agreed with the Council and report on the delivery these on a bi-annual basis in a format prescribed by Scotland Excel.

**IMPORTANT NOTE FOR TENDERERS:** Tenderers should note the specific requirements and

evaluation approaches applicable to this tender as set out in the procurement documents. Further information and instructions are contained within the procurement documents.

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 48521. 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:

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

Tenderers are requested to agree to the community benefits approach as set out in the ITT. Where agreed, if successful in award onto the

framework and if a Work Order is awarded through the framework, consultants will be required to:

1. Upon award of the Work Order proactively engage with the Council to agree the selection of community benefit outcomes and how

these will be monitored between the parties (including reporting and reviews).

2. Commence implementing the community benefits immediately, or as soon as reasonably possible, upon being appointed a Work Order.

3. Inform Scotland Excel of the selection of community benefit outcomes which have been agreed with the Council and report on the

delivery these on a bi-annual basis in a format prescribed by Scotland Excel.

(SC Ref:728966)

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

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

Court of Session

Edinburgh

EH1 1RQ

Country

United Kingdom

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

Precise information on deadline(s) for review procedures

An economic operator that suffers, or risks suffering, loss or damage attributable to a breach of duty under the Public Contracts (Scotland) Regulations 2015 (SSI2015/446)(as amended) may bring proceedings in the Sheriff Court or the Court of Session.