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Tender

## **Civil Engineering Framework (Scotland)**

Scottish Government

F02: Contract notice

Notice identifier: 2022/S 000-016697

Procurement identifier (OCID): ocds-h6vhtk-0347de

Published 17 June 2022, 2:36pm

### **Section I: Contracting authority**

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

Scottish Government

Victoria Quay

Edinburgh

EH6 6QQ

#### **Contact**

Tony Aitken

#### **Email**

[CCT\\_SPPD@gov.scot](mailto:CCT_SPPD@gov.scot)

#### **Country**

United Kingdom

**NUTS code**

UKM - Scotland

**Internet address(es)**

Main address

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

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA10482](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA10482)

**I.2) Information about joint procurement**

The contract is awarded by a central purchasing body

**I.3) Communication**

The procurement documents are available for unrestricted and full direct access, free of charge, at

[www.publictendersscotland.publiccontractsscotland.gov.uk](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

[www.publictendersscotland.publiccontractsscotland.gov.uk](http://www.publictendersscotland.publiccontractsscotland.gov.uk)

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

Ministry or any other national or federal 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**

Civil Engineering Framework (Scotland)

Reference number

SP-21-041

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

- 45000000 - Construction work

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

Works

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

Scottish Procurement acting through Scottish Ministers have worked with industry on the development of a national framework for civil engineering for Scotland.

This will be a multi-lot, multi-supplier framework for a 4 year period whereby civil engineering contracts (work orders) with a value greater than 5,000,000 GBP up to 100,000,000 GBP(excluding VAT) can be individually called-off as required by the Scottish public sector.

The framework will be divided into 3 lots, based on value & whether the works are categorised as general or structural civil engineering.

The framework terms & conditions will be based on NEC4 Framework Contract, Call Off Contracts (Work Orders) will use the NEC Engineering and Construction Contract (ECC), NEC Engineering & Construction Short Contract (ECSC), NEC Term Service Contract (TSC) & Term Service Short Contract (TSSC) supplemented with some bespoke terms & conditions.

To be considered for ITT for each lot, Economic Operators are required to complete the Single Procurement Document (SPD) including the additional files "Technical & Professional Ability Workbook" , "Financial Standing Workbook" & "Climate Change Plan" in accordance with this Contract Notice & the accompanying SPD Instructions document. Economic Operators will be evaluated in accordance with the Public Contracts Regulations (Scotland)

2015, on the basis of the information provided within their SPD.

The SPD can be downloaded via the Public Contracts Scotland portal

([www.publiccontractsscotland.gov.uk](http://www.publiccontractsscotland.gov.uk))

The split between the lots & additional information can be found at parts II.2 & VI.3 of this Contract Notice.

The Scottish Procurement & Property Directorate (SPPD) is the organisation tasked with procuring frameworks & contracts on behalf of Scottish public sector bodies.

The framework will be available for use by the Scottish Ministers (including

Agencies), Scottish Non-Departmental Public Bodies, offices in the Scottish Administration which are not ministerial offices, cross-border public authorities within the meaning of section 88(5) of the Scotland Act 1998, The Office for the Secretary of State for Scotland, the Scottish Parliamentary Corporate Body, councils constituted under section 2 of the Local Government etc. (Scotland) Act 1994, bodies registered as social landlords under the Housing (Scotland) Act 2001, Scottish health boards/special health boards, Student Loans Company Limited, the

Commissioner of Northern Lighthouse operating as the Northern Lighthouse Board, Scottish Futures Trust, Equality & Human Rights Commission, Business Stream Ltd, the Business Gateway National Unit at the Convention of Scottish Local Authorities, further/higher education institutions being fundable bodies within the meaning of section 6 of the further/Higher Education (Scotland) Act 2005, any public body established by or under the Scotland Act 1998 or any Act of the Scottish Parliament, any association of or formed by one or more of the foregoing, bodies financed wholly or mainly by one or more of the foregoing, bodies subject to management supervision by one or more of the foregoing and bodies more than half of the board of directors or members of which, or, in the case of a group of individuals, more than half of those individuals, being appointed by one or more of the foregoing. In addition to the contracting authorities listed, the framework agreement will be available to charities entered on the Scottish Charity Register & voluntary organisations entered on the Membership Database of the Scottish Council for Voluntary Organisations.

Information about agencies of the Scottish Ministers, Scottish NDPBs & offices in the Scottish Administration which are not ministerial offices are listed at

<http://www.scotland.gov.uk/Topics/Government/public-bodies/about/Bodies>

Overview of the governance structure of public procurement for Scotland, including the Public Procurement Group.

<https://www.gov.scot/publications/public-procurement-governance/>

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

Value excluding VAT: £600,000,000

### **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**

General Civil Engineering Works greater than 5M GBP and up to 25M GBP

Lot No

1

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

- 45000000 - Construction work

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

NUTS codes

- UKM - Scotland

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

Lot 1 will cover all general civil engineering works at national (Scotland) level for individual contracts(Work Orders) with a value greater than 5,000,000 GBP up to 25,000,000 GBP. Economic Operators must have design capability as work packages may be called-off on a design and build basis.

We intend to appoint a maximum of SIX suppliers to Lot 1.

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

Quality criterion - Name: Quality / Weighting: 70

Price - Weighting: 30

**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:

The Economic Operators with the top 8 scores in relation to the minimum requirements set out at III.1.2 and III.1.3 will be shortlisted for ITT stage.

The Economic Operators who meet the minimum requirements set out at III.1.2 and III.1.3, and are within the top 8 scores for the Technical and Professional Ability Questions will be shortlisted for ITT stage.

In the event that more than 8 Economic Operators achieve the top 8 scores the Economic Operator with the highest score in the heaviest weighted question from the Technical and Professional Ability evaluation will be Invited to Tender. Should there be equal scores for this question the scores for the remaining questions will be reviewed in order of weighting until a highest score is identified.

**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**

Structural Civil Engineering Works greater than 5M GBP up to 25M GBP

Lot No

2

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

- 45000000 - Construction work

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

NUTS codes

- UKM - Scotland

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

Lot 2 will cover all structural civil engineering works at national (Scotland) level for individual contracts (Work Orders) with a value greater than 5,000,000 GBP up to 25,000,000 GBP. Economic Operators must have design capability as work packages may be called-off on a design and build basis.

We intend to appoint a maximum of SIX suppliers to Lot 2.

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

Quality criterion - Name: Quality / Weighting: 70

Price - Weighting: 30

### **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:

The Economic Operators who meet the minimum requirements set out at III.1.2 and III.1.3, and are within the top 8 scores for the Technical and Professional Ability Questions will be shortlisted for ITT stage.

In the event that more than 8 Economic Operators achieve the top 8 scores the Economic Operator with the highest score in the heaviest weighted question from the Technical and Professional Ability evaluation will be Invited to Tender. Should there be equal scores for this question the scores for the remaining questions will be reviewed in order of weighting until a highest score is identified.

### **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**

All Civil Engineering Works greater than 25M GBP up to 100M GBP

Lot No

3

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

- 45000000 - Construction work

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

NUTS codes

- UKM - Scotland

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

Lot 3 will cover all civil and structural engineering works at national (Scotland) level for individual contracts (Work Orders) with a value greater than 25,000,000 GBP up to 100,000,000 GBP. Suppliers must have design capability as the work packages may be called-off on a design and build basis.

It is intended that a maximum of FOUR suppliers will be appointed to Lot 3.

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

Quality criterion - Name: Quality / Weighting: 70

Price - Weighting: 30

### **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: 6

Objective criteria for choosing the limited number of candidates:

The Economic Operators who meet the minimum requirements set out at III.1.2 and III.1.3, and are within the top 6 scores for the Technical and Professional Ability Questions will be shortlisted for ITT stage.

In the event that more than 6 Economic Operators achieve the top 6 scores the Economic Operator with the highest score in the heaviest weighted question from the Technical and Professional Ability evaluation will be Invited to Tender. Should there be equal scores for this question the scores for the remaining questions will be reviewed in order of weighting until a highest score is identified.

### **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 state of its establishment (as described in Schedule 5 of the Public Contracts (Scotland) Regulations 2015) (i.e. registered under Companies House).

Contractual/specification requirements include:

-Construction staff shall require to be accredited under the Construction Skills Construction Safety Scheme (CSCS) or equivalent.

Standards and Specification

Subject to the other provisions of the Contract, the standards and specifications with which the Contractor shall comply will include:

- Department for Transport Standards for Highways, specifically: Design Manual for Roads and Bridges (DMRB), Manual of Contract Documents for Highway Works (MCHW) and Transport Scotland Interim Amendments (TSIA)
- Eurocodes;
- BS EN and BS EN ISO standards relating to construction of road schemes including earthworks;
- BS Codes of Practice relating to construction of road schemes including earthworks; - Other Non-Conflicting Complementary Information (NCCI).
- Construction (Design and Management) Regulations 2015 (CDM 2015) Regulations
- National Roads Development Guide
- Building Information Management (BIM)

The successful tenderer for each call off contract will fulfil the duties of Principal Contractor

under CDM 2015.

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

List and brief description of selection criteria

1. Average annual turnover over the last three years

2. Financial Standing Assessment (ratios) including:

- Operating Profit Percentage;

- Interest Cover Ratio;

- Acid Test Ratio;

- Net Worth Test;

- Leverage Ratio;

- Capital Employed Percentage

3. Credit Rating using Creditsafe

4. Insurance

Minimum level(s) of standards possibly required

1. Average annual turnover of:

- Lot 1 25M GBP

- Lot 2 25M GBP

- Lot 3 100M GBP

2. Financial Standing Assessment score of no less than 6

3. Credit Rating of no higher than Moderate Risk

4. Insurance Level of at least:

Employers Liability 10M GBP

Public Liability 10M GBP

Professional Indemnity 10M GBP

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

List and brief description of selection criteria

#### **1. SPD Part 3**

Mandatory and discretionary exclusion criteria (Pass/Fail)

#### **2. SPD Part 4C.1**

Economic Operators shall be required to demonstrate suitable experience and track record relevant to lots being applied for by responding to the questions in the attached "Technical and Professional Ability Workbook" (Scored)

Three reference projects for each lot applied for (Pass/Fail)

Demonstrated experience in acting as both the 'Principal Contractor' and

'Principal Designer' (Principal Designer Role may be sub-contracted with the

Economic Operator retaining the Principal Designer designation) under the

Construction (Design and Management) Regulations 2015 or European equivalent).  
(Pass/Fail)

#### **3. SPD Part 4C.4**

Economic Operators should state if they intend or do not intend to use a supply chain to deliver the requirements detailed in the Contract Notice. If Economic Operators intend to use a supply chain to deliver the requirements detailed in the Contract Notice, they should confirm they have (or have access to) the relevant supply chain management and tracking systems to ensure a resilient and sustainable supply chain. This will include confirmation that they have the systems in place to pay subcontractors through the supply chain promptly and effectively and the evidence listed below will be provided as requested. (Pass/Fail)

Prior to contract award Scottish Procurement will ask the Economic Operator to provide evidence of:

a) their standard payment terms

b) ≥95% of all supply chain invoices being paid on time (in accordance with the terms of contract) in the last financial year.

If the Economic Operator is unable to confirm (b) they must provide an improvement plan, signed by their Director, which improves the payment performance.

If the Economic Operator cannot evidence a) and b) and if required the provision of an improvement plan, signed by their Director, which improves the payment performance, then an award of contract will not be made.

#### 4. SPD Part 4C.7

Economic Operators are required to confirm that they will employ environment management measures that meet ISO 14001 (or equivalent) (Pass/Fail)

Economic Operators are required to provide evidence that their organisation has taken steps to build their awareness of the climate change emergency and how they will respond by completing the Climate Change Plan Template (Pass/Fail)

#### 5. SPD Part 4D.1

Quality Management Standard ISO 9001 (or equivalent) (Pass/Fail)

Health and Safety Standard ISO 45001 (or equivalent) (Pass/Fail)

Minimum level(s) of standards possibly required

#### 1. SPD Part 3

Meets the criteria required to pass the mandatory and exclusion criteria

#### 2. SPD Part 4C.1

A score of at least 2 in each of the Technical and Professional Ability questions for each lot applied for.

Submission of all three reference projects requested for each lot applied for -Pass

Experience of acting as 'Principal Contractor' or Principal Designer' in at least one of the reference projects provided. 4. ISO 14001 (or equivalent) – Pass

#### 3. SPD Part 4C.4

Statement of intention to use or not to use a supply chain to deliver the requirements

detailed in the Contract Notice and if there is an intention; confirmation of having (or having access to) the relevant supply chain management and tracking systems – Pass

#### 4. SPD Part 4C.7

Confirmation of ISO 14001 (or equivalent) - Pass

Climate Change Plan – Pass

#### 5. SPD Part 4D.1

Confirmation of ISO 9001 (or equivalent) - Pass

Confirmation of ISO 45001 (or equivalent) - Pass

6. Submits a compliant submission with all parts of the SPD completed.

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## **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: 16

#### **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

1 August 2022

Local time

12:00pm

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

7 September 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: 9 (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.2) Information about electronic workflows**

Electronic ordering will be used

Electronic invoicing will be accepted

Electronic payment will be used

**VI.3) Additional information**

Economic Operators must complete all sections of the SPD including all attachments to be compliant. Failure to complete all the sections may result in the SPD being rejected.



Scoring: Scored questions will be scored using the methodology in the SDP Instructions.

Further Checks: In line with the PCR (Scotland)2015, there will be a requirement on Economic Operators to provide proof of economic & financial standing & technical and professional ability prior to proceeding to the next stage of the competition & award, the tender documents will contain specific provisions requiring Economic Operators to inform Scottish Ministers of any changes to their SPD during the procurement. Further, Scottish Ministers reserve the right to undertake further verification to ensure continuing compliance with the selection criteria at any time prior to ITT for any mini-competition or Work Order awarded under the framework. If means of proof does not satisfy Scottish Ministers' selection criteria and/or if an Economic Operator no longer meets the requirements set out in tender documents, it shall be excluded from the mini-competition or Work Order award. If this follows tender evaluation, the next most economically advantageous tenderer who has provided proof of economic & financial standing and technical & professional ability may be awarded the Work Order.

The full contract documentation will be provided at ITT stage, the draft Scope and a holistic statement on T&C will follow the publication of this Contract Notice, via the PCS portal. No obligation, liability, duty of care or responsibility to any party is created by or shall arise out of this.

The Scottish Government will host a virtual Open Supplier Meeting with representatives of Scottish Procurement and Construction Policy teams. The meeting will be facilitated by our Supplier Development Programme (SDP) on Thursday 14th July 2022 from 14:30 -16:00.

The meeting will provide an opportunity to ask questions related to the published Contract Notice.

Training on PCS/PCS-T from the Supplier Development Programme will also be provided which includes:

A Step-by-Step tutorial on how to create an account, upload documents, submit questions, etc.

The following link must be used to register for the event:

<https://www.sdpscotland.co.uk/events/open-supplier-meeting-for-the-future-nationalcivil-engineering-framework-for-works-associated-services-including-roads-roadsmaintenance-1380/>

The buyer is using PCS-Tender to conduct this PQQ exercise. The Project code is 21491. 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:

Community benefits for the individual Work order will be set out in the Work Order's scope and contract documents.

(SC Ref:694234)

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

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

Edinburgh Sheriff Court House

27 Chambers Street

Edinburgh

EH1 1LB

Country

United Kingdom