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Opportunity

## **Framework Agreement for Carriageway and Car Park Resurfacing / Reconstruction and Minor Repairs 2022-2026**

North Lanarkshire Council

F02: Contract notice

Notice reference: 2021/S 000-024082

Published: 28 September 2021, 2:15pm

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

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

North Lanarkshire Council

Civic Centre, Windmillhill Street

Motherwell

ML1 1AB

#### **Email**

[stewartpa@northlan.gov.uk](mailto:stewartpa@northlan.gov.uk)

#### **Telephone**

+44 1698403876

#### **Country**

United Kingdom

**NUTS code**

UKM84 - North Lanarkshire

**Internet address(es)**

Main address

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

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA00010](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00010)

**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/>

Electronic communication requires the use of tools and devices that are not generally available. Unrestricted and full direct access to these tools and devices is possible, free of charge, at

<https://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**

Framework Agreement for Carriageway and Car Park Resurfacing / Reconstruction and Minor Repairs 2022-2026

Reference number

NLC-CPT-21-038

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

- 45233223 - Carriageway resurfacing works

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

Works

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

North Lanarkshire Council intends to establish a multi supplier Framework Agreement for the provision of resurfacing / reconstruction and minor repair works to the existing road network and car parks within the North Lanarkshire Council geographical boundary. A contractual arrangement is required to extend the life of the road network, typical through the process of resurfacing and reconstruction works. The requirement also includes the provision of ancillary items such as traffic management, road markings, drainage, kerbing etc to be delivered with the resurfacing / reconstruction and minor repair works.

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

Value excluding VAT: £20,000,000

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

This contract is divided into lots: No

### **II.2) Description**

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

- 45233223 - Carriageway resurfacing works

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

NUTS codes

- UKM84 - North Lanarkshire

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

The following information is intended as an overview and should assist Tenderers in making an informed decision as to whether to submit a completed ITT for this provision. A full and detailed specification of requirements is provided within Attachment 06b of the document suite and can be downloaded from the additional documentation area with the PCS-T portal.

The Council has a requirement to undertake resurfacing / reconstruction and minor repair works to the existing road network and car parks within the North Lanarkshire Council geographical boundary. The procurement is driven by the requirement to extend the life of the road network, typically through the process of resurfacing / reconstruction and minor repair works. The Works will include, but not limited to, items such as:

Implementation, maintenance and removal of traffic management;

Cold milling;

Resurfacing;

Raising or lowering of ironwork;

Renewal of ironwork;

Drainage works;

Road markings;

Patching;

Kerbing;

Excavation; and

Minor repairs

The works are required in order to ensure that the current road condition does not deteriorate as shown by the road condition index, which is measured on an annual basis.

The Framework Agreement conditions of contract are NEC3 Framework Contract April 2013 with individual Package Orders being issued under the NEC3 Engineering and Construction Short Contract April 2013. Further information can be found in Attachment 06a Framework Agreement and Call-Off Conditions.

Award of this Framework Agreement shall be on the basis of MEAT; the evaluation of a combination of Contractors prices submitted against a pre-priced Schedule of Rates and quality questions. A maximum number of 8 Contractors shall be appointed to this Framework Agreement. The anticipated upper limit of spend to be potentially routed through this Framework Agreement circa 20000000 GBP. Call offs shall be made in compliance with Attachment 07 Call off Procedure. Note, the contract value is an estimate and that there is no guarantee of any specific volume of business arising under the Framework Agreement.

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

Quality criterion - Name: Quality / Weighting: 40

Price - Weighting: 60

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

Value excluding VAT: £20,000,000

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

Duration in months

24

This contract is subject to renewal

Yes

Description of renewals

The Council intends to include an additional 2 x 12 month extension period which can be utilised should circumstances arise that such an extension is required.

### **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**

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.

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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

4A.1 - If required by the member state, bidders are required to be enrolled in the relevant professional or trade registers within the country in which they are established.

The Bidder response to this question for Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers will be evaluated as follows:

Pass = response is compliant with the minimum requirement stated in the Contract Notice section 3.1.1 (Suitability)

Fail = response is not compliant with the minimum requirement stated in the Contract Notice section 3.1.1 (Suitability)

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

List and brief description of selection criteria

SPD Selection Criteria Section, question Section B, Part IV, Economic and Financial Standing, the following questions:

4B.4, 4B.4.1, 4B.5.1, 4B.5.2 and 4B.5.3.

Minimum level(s) of standards possibly required

4B.4 - Bidders will be required to state the value(s) for the following financial ratio: Acid Test ratio of 1.00 and above.

The acceptable range for Acid Test financial ratio is the bidders most recent financial year where fully audited accounts are available.

The Acid Test financial ratio will be calculated as follows: Liquid Assets (Cash and Cash Equivalents + Marketable Securities + Accounts Receivable) / Current Liabilities

4B.4.1 - If the relevant documentation is available electronically, please indicate.

4B.5.1 - Candidates must confirm they already have or commit to obtain prior to the commencement of the contract, the following levels of insurance cover:

1) Employer's (Compulsory) Liability Insurance: 10,000,000 GBP each and every claim and in the annual aggregate.

<http://www.hse.gov.uk/pubns/hse40.pdf>

4B.5.2 – Candidates must confirm they already have or commit to obtain prior to the commencement of the contract, the following levels of insurance cover:

1) Public Liability Insurance: 10,000,000 GBP each and every claim and in the annual aggregate;

4B.5.3 - If the relevant documentation is available electronically, please indicate.

Candidates that are unable to meet all of the minimum level(s) of standards required for questions 4B.4, 4B.4.1, 4B.5.1, 4B.5.2 and 4B.5.3 in Section B, Part IV, Economic and Financial Standing of the ESPD, will be assessed as a FAIL and will be excluded from the competition, unless the following information is provided as part of their tender:

1) an SPD submission from a Parent Company (or Ultimate Parent Company) who can meet all the above minimum requirements; and

2) a declaration that the Parent Company (or Ultimate Parent Company) is prepared to

provide a Parent Company Guarantee (PCG) in the form determined by the Council to cover the duration of the proposed Contract, including the available extension period.

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

List and brief description of selection criteria

SPD (Scotland) 4C.1 - Bidders will be required to provide examples that demonstrate that they have the relevant experience to deliver the services as described in part II.2.4 of the Find a Tender Service Contract Notice or the relevant section of the Site Notice.

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SPD (Scotland) 4C.10 - Bidders will be required to confirm whether they intend to subcontract and, if so, for what proportion of the Contract.

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SPD (Scotland) 4D.1 - Full details of the selection criteria in regards to Quality Assurance is located within attachment VI.3 Additional Information - Part 4D1 & 2 contained within the PCS-T System.

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SPD (Scotland) 4D.2 - Full details of the selection criteria in regards to Quality Assurance is located within attachment VI.3 Additional Information - Part 4D1 & 2 contained within the PCS-T System.

Minimum level(s) of standards possibly required

SPD (Scotland) 4C.1 - Bidders should provide a minimum of two (2) examples of contractual arrangements they have held over the past three (3) years which best demonstrates their relevant experience to deliver requirements within the Contract which were similar in regards to scope, scale and duration.

Within the Qualification Envelope, the bidder should provide a minimum of two (2) examples fully inclusive of the name of the contractual arrangement, a brief description of the requirements, the duration of the contractual arrangement (including start and end dates (month/ year) and the overall value.

Bidders who fail to provide suitable examples may be assessed as a FAIL and be excluded from the Procurement.

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SPD (Scotland) 4C.10 - Bidders should confirm whether they intend to subcontract any part of the Contract and if so, what proportion will be sub-contracted.

Bidders who fail to demonstrate the percentage of works to be sub-contracted may be assessed as a FAIL and be excluded from the Procurement.

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SPD (Scotland) 4D.1 - Full details of the selection criteria in regards to Quality Assurance is located within attachment VI.3 Additional Information - Part 4D1 & 2 contained within the PCS-T System.

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SPD (Scotland) 4D.2 - Full details of the selection criteria in regards to Quality Assurance is located within attachment VI.3 Additional Information - Part 4D1 & 2 contained within the PCS-T System.

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SPD (Scotland) 4C.1.2, 4D.1 and 4D.2 will be assessed on a Pass /Fail basis.

SPD (Scotland) 4C.10 is for information only and will not be assessed however failure to complete may result in a fail being applied. Any sub-contractors identified may be required to provide a separate SPD (SCOTLAND).

Further information on the minimum requirements and full assessment criteria for Parts 4C and 4D of the SPD (Scotland) is located within attachment VI.3 Additional Information - Part 4D1 & 2 contained within the PCS-T System.

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

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

Further information is contained within the tender document suite and can be downloaded from the additional documentation area with the PCS-T portal.

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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: 8

#### **IV.1.8) Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: Yes

### **IV.2) Administrative information**

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

Date

29 October 2021

Local time

12:00pm

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

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

Date

29 October 2021

Local time

12:00pm

Place

Tenders received on or after the deadline of 12:00:00 for submission of Tenders will be considered late and not accepted

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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**

Part II – Information Concerning the Bidder

A: Information About the Bidder;

B: Information About Representatives of the Bidder;

C: Information About Reliance on the Capacities of Other Entities; and

D: Information Concerning Sub-contractors on Whose Capacity the Bidder Does Not Rely.

Minimum level(s) of standards required:

The information required in Part II of the SPD (Scotland) is for information only and therefore will not be assessed however the Councils may choose not to select a Bidder that cannot provide basic company information.

Bidders must ensure that they submit appropriate SPD (Scotland) completed by other members of the group, if they are bidding as part of a group, others on whose capacity they rely, and known subcontractors on whose capacity they do not rely on, to satisfy any aspect of the SPD (Scotland).

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#### Part VI – Concluding statements

Minimum level(s) of standards required:

Bidders unable to complete this part of the SPD (Scotland) may be excluded from the competition.

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All Tenderers should complete the Qualification, Technical and Commercial Envelopes within the PCS-T System as part of their Tender

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Late Tenders will not be considered under any circumstances

The Council will not provide additional notification to any Bidder of the rejection of a late Tender.

For the avoidance of any doubt, automated messages confirming receipt of a Tender should not be taken to imply acceptance of it by the Council.

The complete Tender (complete with SPD (Scotland)) should be submitted in accordance with the instructions given with the Form of

Tender signed by an authorised representative i.e. company director or secretary (as registered within Companies House) or by a person

authorised by the Bidder to do so.

The Council reserves the right to exclude any unclear, erroneous, qualified and / or incomplete Tenders received.

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 19464. 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:

The Contractor and its supply chain will be required to actively participate in the achievement of social, environmental and/or sustainability policy objectives relating to local regeneration, social and economic growth, recruitment, employment and training and supply chain initiatives.

The Contractor will be required to provide access to opportunities to SMEs wherever possible and will advertise all subcontract opportunities linked to the contract using the Public Contracts Scotland Portal.

The Contractor will be required to ensure that all subcontractors advertise all their subcontracts as described above. In addition, they will be required to identify and provide access to opportunities linked to the contract to social enterprises wherever possible.

Where job vacancies related to the contract arise within the Contractor's organisation, they will be required wherever possible and appropriate, to provide access to employment and training opportunities aimed specifically at unemployed individuals and to use all reasonable endeavours to fill those posts with such persons. The Contractor should also link in where possible and appropriate to school, student, graduate and other work experience programmes.

The Contractor will be required to detail the community benefits that it will deliver if successful in this tender opportunity within Attachment 05 Award Questionnaire.

(SC Ref:664345)

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

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

Scottish Courts

Edinburgh

Country

United Kingdom

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

Precise information on deadline(s) for review procedures

An economic operator that suffers, or is at risk of suffering, loss or damage attributable to a breach of duty under the Public Contracts (Scotland) Regulations 2015 or the Procurement Reform (Scotland) Act 2014, may bring proceedings in the Sheriff Court or the Court of Session.