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Award

North Fife School Buses - Contract Extensions

Fife Council

F15: Voluntary ex ante transparency notice

Notice identifier: 2021/S 000-031429

Procurement identifier (OCID): ocds-h6vhtk-029214

Published 16 December 2021, 2:35pm

Section I: Contracting authority/entity

I.1) Name and addresses

Fife Council

Bankhead Central, Bankhead Park

Glenrothes

KY7 6GH

Contact

Sarah Cutler

Email

sarah.cutler@fife.gov.uk

Telephone

+44 3451550000

Country

United Kingdom

NUTS code

UKM72 - Clackmannanshire and Fife

Internet address(es)

Main address

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

Buyer's address

https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00187

I.4) Type of the contracting authority

Regional or local authority

I.5) Main activity

General public services

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

North Fife School Buses - Contract Extensions

Reference number

10346

II.1.2) Main CPV code

- 60112000 - Public road transport services

II.1.3) Type of contract

Services

II.1.4) Short description

Fife Council organises school bus services in line with The Education (Scotland) Act 1980 (Sections 42 & 51), as amended by the Education (Scotland) Act 1981, Education (Scotland) Act 1996 and The Standards in Scotland's Schools etc Act 2000 and by enhancements agreed as Fife Council policy.

These contracts are for the supply of school bus services in North Fife.

North Fife is an area comprising, though not exclusively so, the boundaries of the former North-east Fife District Council. In general terms, this area is bounded by Newburgh, Gateside, Falkland, Freuchie, Star, Kennoway and Leven and all points to the north and east within the peninsula. The main urban centres are Cupar, St Andrews and Anstruther. Services may operate wholly within the North Fife area but are not limited by its boundaries and may operate further afield.

In early 2014 Fife Council confirmed the award of the initial contracts which ran from 14th August 2021 to 15th August 2021. Those contracts were extended until 14th August 2022, this information was published on 10th February 2021 in a modification notice under references: FEB406401 OCID:ocds-r6ebe6-0000643923

This notice is to extend these existing contracts with the incumbent suppliers for a period of 12 months

until 13th August 2023 for the reasons detailed in section IV of this notice.

II.1.6) Information about lots

This contract is divided into lots: No

II.1.7) Total value of the procurement (excluding VAT)

Value excluding VAT: £2,544,284

II.2) Description

II.2.2) Additional CPV code(s)

- 60112000 - Public road transport services

II.2.3) Place of performance

NUTS codes

- UKM72 - Clackmannanshire and Fife

Main site or place of performance

North Fife

II.2.4) Description of the procurement

School Bus Services in North Fife:

PS - Primary School

HS - High School

NF/AS1

ANSTRUTHER B9131 adj Cauldcots Farm Road End - ANSTRUTHER PS

NF/BB1

AUCHTERMUCHTY Burnside Adj Bank of Scotland - CUPAR Bell Baxter HS

NF/BB10

FALKLAND East Port Adj Square HR - CUPAR Bell Baxter HS

NF/BB11

Glenrothes Bus Station - CUPAR Bell Baxter HS

NF/BB12

SPRINGFIELD Main St adj Primary School - CUPAR Bell Baxter HS

NF/BB13

BLEBO CRAIGS Road End B939 Eastbound - CUPAR Bell Baxter HS

NF/BB14

CLAYTON A91 adj Clayton Caravan Park - CUPAR Bell Baxter HS

NF/BB15

Diageo - CUPAR Bell Baxter HS

NF/BB16

GUARDBRIDGE Main St Adj Toll Rd - CUPAR Bell Baxter HS

NF/BB17

BURNSIDE A91(T) Eastbound - CUPAR Bell Baxter HS

NF/BB18

CUPAR Crossgate - CUPAR Bell Baxter HS

NF/BB2

NEWBURGH High St Adj West Port Rd - CUPAR Bell Baxter HS

NF/BB3

FALKLAND Pillars of Hercules adj Farm Shop Entrance - CUPAR Bell Baxter HS

NF/BB4

NEWBURGH High St Adj West Port Rd - CUPAR Bell Baxter HS

NF/BB5

NEWBURGH High St Adj No 143/145 - CUPAR Bell Baxter HS

NF/BB6

New Inn - CUPAR Bell Baxter HS

NF/BB7

KETTLEBRIDGE Back Park Adj A92 (Cupar Rd) - CUPAR Bell Baxter HS

NF/BB8

FALKLAND Newton Rd Opp Lomond Cres - CUPAR Bell Baxter HS

NF/BB9

NEW INN Adj Pittillock Farm HR - CUPAR Bell Baxter HS

NF/BM1

Peacehill Farm - Balmerino PS

NF/CG1

ST ANDREWS Bus Station (Stance 1) - ST ANDREWS Cannongate PS

NF/CH1

CUPAR Carslogie Rd Adj Elmwood College - CUPAR Castlehill PS

NF/CH2

CUPAR Carslogie Rd Adj Elmwood College - CUPAR Castlehill PS

NF/CH3

STRATHEDEN A91(T) Adj Stratheden Access - CUPAR Castlehill PS

NF/CH4

FOODIEASH Main Road adj Longlea Cottage - CUPAR Castlehill PS

NF/CH5

CUPAR George Govan Road adj 57 - CUPAR Castelhill PS

NF/GF1

Eastport, Dundee Foundry Lane, - ST ANDREWS Madras HS

NF/MD1

Eastport, Foundry Lane, near - ST ANDREWS Madras HS

NF/MD10

Eastport, Foundry Lane, near - ST ANDREWS Madras HS

NF/MD11

TAY ROAD BRIDGE Access Road Adj Car Park - ST ANDREWS Madras HS

NF/MD12

TAY ROAD BRIDGE Access Road Adj Car Park - ST ANDREWS Madras HS

NF/MD13

Balmullo - ST ANDREWS Madras HS

NF/MD14

GUARDBRIDGE Main St Opp Toll Rd - ST ANDREWS Madras HS

NF/MD15

BLEBO CRAIGS Road End B939 Eastbound - ST ANDREWS Madras HS

NF/MD16

Methil - New Gilston - ST ANDREWS Madras HS

NF/MD17

ST ANDREWS Madras HS - Tayport

NF/MD18

ST ANDREWS Madras HS - Newport

NF/MD2

Eastport, Foundry Lane, near - ST ANDREWS Madras HS

NF/MD3

Eastport, Foundry Lane, near - ST ANDREWS Madras HS

NF/MD4

TAY ROAD BRIDGE Access Road Adj Car Park - ST ANDREWS Madras HS

NF/MD5

TAY ROAD BRIDGE Access Road Adj Car Park - ST ANDREWS Madras HS

NF/MD6

WORMIT Kilmany Rd Opp No 45 - ST ANDREWS Madras HS

NF/MD7

TAYPORT Scotsraig Dr adj Young Court HR - ST ANDREWS Madras HS

NF/MD8

TAYPORT Newport Rd Opp Scotsraig Dr - ST ANDREWS Madras HS

NF/MD9

ST ANDREWS Madras HS - Tayport

NF/NP1

DRUMOIG Forgan Drive adj 13 - NEWPORT Adj PS

NF/SC1

AUCHTERMUCHTY Low Rd adj High Rd -St Columba's & Castlehill PS

NF/WD1

Methil Sea Rd adj Police Stn - Waid Academy HS

NF/WD2

Methil Police Stn - Waid Academy HS

NF/WD3

Methil Wellesley Road - Waid Academy HS

NF/WD4

ANSTRUTHER B9171 adj West Pitcorthie Farm - Waid Academy HS

95

ST ANDREWS Madras HS - Kingsbarns (Seasons)

95

Waid Academy HS- Crail (Seasons)

95

ST ANDREWS Madras HS - Kingsbarns (additional vehicle)

95/395

Waid Academy HS - Leven (Seasons)

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 IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Award of a contract without prior publication of a call for competition in the cases listed below

- The procurement falls outside the scope of application of the regulations

Explanation:

Covid-19, has reduced demand so fares information for specifications can't be provided and it's unclear when passenger numbers will return to pre-Covid levels, leading to difficulty in pricing bids because fare levels are unknown. By extending contracts, we have time to obtain more realistic passenger level data. - Covid-19 has prevented us undertaking on-bus passenger surveys, a more effective tool than online ones with regard to response numbers. Recovered passenger levels will enable accurate surveys. - The Covid Support Grant will be revised/ended at some point, which is likely to impact bus operators' income. There is concern that, when the Government support ends, marginal commercial bus routes will be withdrawn, putting pressure on the Council to subsidise replacements. The impact isn't yet known but we wouldn't want any decisions/outcomes to force us to amend/abandon a procurement in the near future. - Delay to implementing the Under 22s Free Travel Scheme leaves unknowns re. provision of passenger and pupil fare estimates and continued uncertainty over what the Government will be funding with regard to pupils on our registered school buses.

All are circumstances outwith the Council's control. The expiry of the incumbent contracts while these circumstances apply makes assessing the need for services and consequently the specification of a longer term requirement impossible. It is proposed therefore to extend the existing contracts/service for a short time until the above circumstances resolve.

It is considered these circumstances fall within the scope of Regulation 33(1)(c)- extreme urgency brought about by unforeseeable circumstances). The Urgency has been brought about by the combination of the above circumstances caused by Covid-19 which mean we are unable to accurately assess the pattern of bus usage needed to shape an appropriate future network of services, and the fact existing

contracts are coming to an end.

The circumstances also fall within the scope of Section 72(1)(c) which permits the modification of a contract, including extension, where all of the following conditions are

fulfilled:

(i) the need for modification has been brought about by circumstances which a diligent contracting authority could not have foreseen (See above); (ii) the modification does not alter the overall nature of the contract or framework; (iii) any increase in price does not exceed 50%

of the initial contract value or framework agreement;

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: [2021/S 000-002733](#)

Section V. Award of contract/concession

Contract No

10346

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

7 October 2021

V.2.2) Information about tenders

The contract has been awarded to a group of economic operators: Yes

V.2.3) Name and address of the contractor/concessionaire

Moffat & Williamson Ltd

Old Railway Yard, St Fort, Newport On Tay, Fife

Wormit

DD6 8RG

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor/concessionaire is an SME

Yes

V.2.3) Name and address of the contractor/concessionaire

Stagecoach East Scotland

Unit 9 u/f, Castle Business Centre, Queensferry Road, Pitreavie Industrial Estate

Dunfermline

KY11 8NT

Country

United Kingdom

NUTS code

- UKM7 - Eastern Scotland

The contractor/concessionaire is an SME

No

V.2.3) Name and address of the contractor/concessionaire

A1 Minibus & Coach Services LTD

577 Wellesley Road, Methil

Fife

KY8 3PD

Country

United Kingdom

NUTS code

- UKM72 - Clackmannanshire and Fife

The contractor/concessionaire is an SME

Yes

V.2.3) Name and address of the contractor/concessionaire

Tayside Public Transport Co Ltd

44-48 East Dock Street, Dundee

Dundee

DD1 3JS

Country

United Kingdom

NUTS code

- UKM71 - Angus and Dundee City

The contractor/concessionaire is an SME

No

V.2.4) Information on value of contract/lot/concession (excluding VAT)

Total value of the contract/lot/concession: £2,544,284

Section VI. Complementary information

VI.3) Additional information

Contract - Operator - Annual Price GBP

NF/AS1 - Moffat & Williamson - 43,492.00

NF/BB1 - Moffat & Williamson - 48,781.00

NF/BB10 - Moffat & Williamson - 51,489.00

NF/BB11 - Moffat & Williamson - 52,367.00

NF/BB12 - Moffat & Williamson - 42,176.00

NF/BB13 - Moffat & Williamson - 49,889.00

NF/BB14 - Moffat & Williamson - 49,627.00

NF/BB15 - Moffat & Williamson - 52,489.00

NF/BB16 - Moffat & Williamson - 58,228.00

NF/BB17 - Moffat & Williamson - 53,791.00

NF/BB18 - Moffat & Williamson - 24,344.00

NF/BB2 - Moffat & Williamson - 56,014.00

NF/BB3 - Moffat & Williamson - 46,559.00

NF/BB4 - Moffat & Williamson - 55,720.00

NF/BB5 - Moffat & Williamson - 56,013.00

NF/BB6 - Moffat & Williamson - 46,939.00

NF/BB7 - Moffat & Williamson - 47,949.00

NF/BB8 - Moffat & Williamson - 49,074.00

NF/BB9 - Moffat & Williamson - 53,092.00

NF/BM1 - Moffat & Williamson - 35,576.00

NF/CG1 - Stagecoach - 39,696.00

NF/CH1 - A1 Minibus & Coach Services - 24,400.00

NF/CH2 - A1 Minibus & Coach Services - 32,768.00

NF/CH3 - A1 Minibus & Coach Services - 34,701.00

NF/CH4 - A1 Minibus & Coach Services - 26,835.00

NF/CH5 - A1 Minibus & Coach Services - 26,153.00

NF/GF1 - Tayside Public Transport Co - 51,411.00

NF/MD1 - Tayside Public Transport Co - 53,517.00

NF/MD10 - Tayside Public Transport Co - 53,135.00

NF/MD11 - Tayside Public Transport Co - 53,994.00

NF/MD12 - Moffat & Williamson - 51,568.00

NF/MD13 - Moffat & Williamson - 44,018.00

NF/MD14 - Moffat & Williamson - 43,992.00

NF/MD15 - A1 Minibus & Coach Services - 56,071.00

NF/MD16 - Stagecoach - 53,409.00

NF/MD17 - Stagecoach - 20,114.00

NF/MD18 - Moffat & Williamson - 12,251.00

NF/MD2 - Tayside Public Transport Co - 53,344.00

NF/MD3 - Tayside Public Transport Co - 52,988.00

NF/MD4 - Tayside Public Transport Co - 52,953.00

NF/MD5 - Tayside Public Transport Co - 50,535.00

NF/MD6 - Tayside Public Transport Co - 54,821.00

NF/MD7 - Moffat & Williamson - 51,831.00

NF/MD8 - Moffat & Williamson - 51,830.00

NF/MD9 - Tayside Public Transport Co - 51,790.00

NF/NP1 - Moffat & Williamson - 40,467.00

NF/SC1 - Moffat & Williamson - 42,052.00

NF/WD1 - A1 Minibus & Coach Services - 53,979.00

NF/WD2 - A1 Minibus & Coach Services - 61,510.00

NF/WD3 - A1 Minibus & Coach Services - 61,510.00

NF/WD4 - Moffat & Williamson - 47,582.00

95 - Stagecoach - 12,750.00

95 - Stagecoach - 36,847.00

95 - Stagecoach - 28,907.00

95/395 - Stagecoach - 86,946.00

(SC Ref:673002)

VI.4) Procedures for review

VI.4.1) Review body

Kirkcaldy Sheriff Court

Kirkcaldy

Country

United Kingdom

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures

Economic operators should approach the contracting authority in the first instance. However, the only formal remedy is to apply to the courts:

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.