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Award

North Fife Local Bus Services - Contract Extensions

Fife Council

F15: Voluntary ex ante transparency notice

Notice identifier: 2021/S 000-031432

Procurement identifier (OCID): ocds-h6vhtk-02921f

Published 16 December 2021, 2:45pm

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 Local Bus Services - Contract Extensions

Reference number

10340

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 local bus services as permitted by Section 63(2) of The Transport Act 1985. The Council wishes to provide bus services to provide links for communities either not served by the commercial bus network or not served by that network on particular days or at particular times of day.

These bus services which are the subject of this Notice are 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.

On 1st March 2018, Fife Council confirmed to successful operators their place on the framework for the provision of North Fife Local Bus Services. Contracts initially awarded under the framework commenced on 13th August 2018 and ran to 16th August 2020 with the option to extend for one year to 15th August 2021. Information about the award of the framework and contracts awarded under it was published on 5th April 2018 under references: APR315670 / OCID:ocds-r6ebe6-0000512992. Those contracts were extended until 15th August 2021, when the framework expired, and then were further extended until 14th August 2022, a modification notice confirming this was published on 10th February 2021, reference: FEB406408

OCID:ocds-r6ebe6-0000643941. 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: £1,941,611

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

These contracts are an extension of the existing contracts for the supply of local bus services in North Fife:

NF/24-1

St Andrews – Guardbridge – Cupar – Pitlessie – Kettlebridge – Ladybank – Freuchie – Glenrothes

NF/41

Kirkcaldy – Windygates – Kennoway – Craighrothie – Ceres – Cupar

NF/53

Cupar – Balmullo – Tayport, Shandwell Road, Elizabeth Street – Dundee

NF/64

A St Andrews – Strathkinness – Pitscottie – Craighrothie – Cupar – Ladybank – Auchtermuchty – Strathmiglo – Falkland –

Glenrothes (circular within St Andrews)

NF/68

Cupar Town Service

NF/77-1

Dundee – Newport on Tay – Wormit – Gauldry – Balmerino

NF/92

St Andrews, Younger Gardens – Hospital – South Street – Guardbridge – Leuchars Rail –

Balmullo – St Michaels – Tayport – (Dundee) –

Newport on Tay – Wormit – Gauldry – Balmerino – St Michaels – Balmullo – Leuchars Rail – Guardbridge – St Andrews, Market Street – Hospital – Younger Gardens – clockwise and anticlockwise

NF/94

St Andrews Bus Station – Guardbridge – Leuchars – St Michaels – Dairsie – Cupar – Cuparmuir – Pitlessie – Kingskettle – Ladybank - Giffordtown – Collessie – Grange of Lindores – Newburgh

NF/95A

Leven – Lower Largo – Upper Largo – Colinsburgh – Elie – Anstruther – Crail – Kingsbarns – St Andrews

NF/OS70

Tayport, Albert Street – Queen Street – Nelson Street – Elizabeth Street – Cupar

NF/TAXIBUS-4

North Fife Flexi Zones

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 000-002744](#)

Section V. Award of contract/concession

Contract No

10340

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

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

Moffat & Williamson Ltd

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

Wormit

DD6 8RG

Country

United Kingdom

NUTS code

- UKM72 - Clackmannanshire and Fife

The contractor/concessionaire is an SME

Yes

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

Total value of the contract/lot/concession: £1,941,611

Section VI. Complementary information

VI.3) Additional information

EXTENSION INFORMATION

CONTRACT - OPERATOR - ANNUAL PRICE GBP

NF/24-1 - Stagecoach - 42,670

NF/41 - Moffat & Williamson - 63,866

NF/53 - Stagecoach - 54,005

NF/64 - Moffat & Williamson - 435,392

NF/68 - Moffat & Williamson - 60,816

NF/77-1 - Stagecoach - 49,813

NF/92 - Moffat & Williamson - 144,472

NF/94 - Stagecoach - 300,593

NF/95A - Stagecoach - 125,806

NF/OS70 - Moffat & Williamson - 71,221

NF/TAXIBUS-4 - Moffat & Williamson - 410,420

NOTE: To register your interest in this notice and obtain any additional information please visit the Public Contracts Scotland Web Site at

https://www.publiccontractsscotland.gov.uk/Search/Search_Switch.aspx?ID=671801.

(SC Ref:671801)

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.