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Tender

## **Legionella Prevention, Control and Risk Management Services 2024-26**

East Renfrewshire Council

F02: Contract notice

Notice identifier: 2023/S 000-035335

Procurement identifier (OCID): ocids-h6vhtk-041df5

Published 30 November 2023, 12:19pm

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

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

East Renfrewshire Council

Eastwood HQ, Eastwood Park,

Giffnock

G46 6UG

#### **Contact**

Sean Skelton

#### **Email**

[sean.skeltonr@eastrenfrewshire.gov.uk](mailto:sean.skeltonr@eastrenfrewshire.gov.uk)

#### **Country**

United Kingdom

#### **NUTS code**

UKM83 - Inverclyde, East Renfrewshire and Renfrewshire

**Internet address(es)**

Main address

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

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA00183](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00183)

**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**

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**

Legionella Prevention, Control and Risk Management Services 2024-26

Reference number

ERC000305

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

- 90713100 - Consulting services for water-supply and waste-water other than for construction

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

Services

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

East Renfrewshire council are seeking bids for a Measured Term Contract to provide a Legionella Bacteria Control, Prevention and Risk Management Service for East Renfrewshire Council Properties (Housing and Non-Housing) 2019-21 programme in compliance with the following:

-Legionnaires' Disease (The Control of Legionella Bacteria in Water Systems) L8 Approved Code of Practice and Guidance on Regulations;

-Legionnaires' Disease Technical Guidance Parts 1, 2 and 3;

-Current E.C. Guidelines;

-Workplace Regulations;

-Food Safety Act;

-The Health and Safety at Work Act 1974;

-The Control of Substances Hazardous to Health Regulations 2002;

-The Management of Health and Safety at Work Regulations 1999;

-The Notification of Cooling Towers and Evaporative Condensers Regulations 1992.

East Renfrewshire Council requires the Legionella Bacteria Control, Prevention and Risk Management service for approximately 128 non housing properties, 8 sheltered housing complexes, 1 homeless unit and 2939 domestic dwellings (housing properties). All the non-housing properties require a risk assessment and the subsequent monitoring service carried out to ensure statutory compliance. A percentage of the housing properties require a risk assessment and the subsequent monitoring service carried out to ensure statutory compliance the provision for this is included within the contract.

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

Value excluding VAT: £1,800,000

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

This contract is divided into lots: No

## **II.2) Description**

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

- 38910000 - Hygiene monitoring and testing equipment
- 38341500 - Contamination-monitoring devices

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

NUTS codes

- UKM83 - Inverclyde, East Renfrewshire and Renfrewshire

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

Open Route 3 Tender (Services Contract) Utilising Public Contract Scotland Tender

The form of contract for will be the SBCC Measured Term Contract for use in Scotland (2011 Edition).

For the avoidance of doubt bidders should note that the value in this notice is a ceiling value and is not guaranteed or implied and will only be utilised should the winning contractor be performing effectively, have capacity when such works arise and provide a quick cost effective option for such spend.

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

Quality criterion - Name: Methodology & Approach / Weighting: 40

Quality criterion - Name: Contract Management / Weighting: 30

Quality criterion - Name: Recording And Storage Of Information - / Weighting: 15

Quality criterion - Name: Net Zero / Weighting: 5

Quality criterion - Name: Community Benefits / Weighting: 5

Quality criterion - Name: Fair Working Practices / Weighting: 5

Price - Weighting: 60

**II.2.6) Estimated value**

Value excluding VAT: £1,800,000

**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

Up to 2 x 12 month extensions at the discretion of the Council subject to budget availability and performance

**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 8 and 9 of the Procurement (Scotland) Regulations 2016.

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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

Due to the nature of the works it is mandatory that all of the successful contractor's staff or staff of a sub-contractor(s) are accredited under the Construction Skills Competence Scheme (CSCS) or the Scottish Construction Operative Registration Executive (SCORE).

Requirement: Bidders must provide 2 examples of previous contracts providing a similar service as specified in the contract notice and within all tender document . Examples must be within the last 3 Years to demonstrate that they have the relevant experience to deliver the work .

The examples provided must be of a similar value, size and scope and bidders should provide a summary of the scope of each contract. Bidders must also provide the name , address and contact information so the council can seek a reference

Failure to provide the relevant experience as requested will result in disqualification from the tender

East Renfrewshire Council required all bidders to be a member a Fully Certified member of Legionella Control Association .

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

List and brief description of selection criteria

The Council reserves the right at its own discretion to seek such other information from the Applicant in accordance with Regulation 61(7) or Regulation 61(8) of the Public Contracts (Scotland) Regulations 2015 to determine the Applicant's economic and financial standing.

Renfrewshire Council requires to ensure that the economic operator has the necessary economic and financial capacity to perform and complete the contract. In the current difficult economic environment, the Council seeks to ensure that the contractor who undertakes the works has suitable financial strength and capacity to complete these works

Where an economic operator wishes to be considered for selection under this contract but cannot meet the turnover or Credit Safe score that economic operator must provide

financial information which will satisfy the Council that they have an equivalent level of economic and financial standing; and must provide related guarantees or formal assurances to support their right to participate and be considered for any contract award ( Regulation 61(8)). Please note that any financial information disclosed should evidence the financial strength of the economic operator tendering, therefore additional supporting information will need to be provided where joint or group accounts are provided in support of a bid to explain to the Council the relevance of that information.

Where the economic bidder relies upon or intends to rely upon any Key Subcontractors in performance of the contract, then the Council reserves the right to assess the financial strength and suitability of the Key subcontractor as part of the qualification process; Where the economic operator relies upon a parent company to provide financial assurance in support of their bid, the Council will also reserve the right to seek financial information on the strength and suitability of the parent company; and

Where the economic operator relies upon the capacity of other parties in respect of selection and/or performance of the contract, then dependent on the nature of the arrangement the Council may require full disclosure of financial information in support of the bid. For example, where the bidder identifies as a consortium the Council will require that the consortium, as a group, can meet the financial selection requirements contained in the procurement documents. Where a bidder is part of a Consortium, it shall procure the execution and delivery to the Employer of a Consortium Guarantee (in the form provided by the council) executed by each member of the Consortium (acting as Consortium guarantor) in Self Proving Form.

The Council reserves the right to monitor that the economic operator continues to meet the financial selection requirements upon receipt of the invitation to tender or after evaluation has been completed and prior to any award being made. Economic operators must inform the Council of any changes to any submission made by them in respect of their financial and or economic situation. The Council will further reserve the right to remove any economic operator from the tendering process where they are no longer able to fulfil any of the selection requirements as directed within the procurement documents.

Further detail is contained within the procurement documents.

Minimum level(s) of standards possibly required

1 . Public Liability and Employers Liability 5m GBP

Professional Indemnity/ Contractors all risk 2m GBP

2. To establish the financial standing of a potential Tenderer, the Council will firstly take into account a risk report provided independently

by Credit Safe. Tenders are asked to provide their company number so that the council can run this report. Within such reports, the risk of business failure is expressed as a score ranging from 1 -100. In the event that a company is determined to have a risk failure rating of below 30 i.e. that the company is considered to have a high risk of business failure, the submission will not be considered further.

3 . Minimum turnover on average of 800,0000 GBP per year for 2 calendar years

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

List and brief description of selection criteria

Due to the nature of the works it is mandatory that all of the successful contractor's staff or staff of a sub-contractor(s) are accredited under the Construction Skills Competence Scheme (CSCS) or the Scottish Construction Operative Registration Executive (SCORE).

The bidder must hold a UKAS (or equivalent) accredited independent third-party certificate of compliance in accordance with BS EN ISO 14001 (or equivalent) or a valid EMAS (or equivalent) certificate

OR

A regularly reviewed documented policy regarding environmental management

Failure to confirm necessary accreditations/ memberships or qualifications will result in the bidder being automatically disqualified from the evaluation process

Bidders who intend to use a supply chain to deliver the requirements detailed in the Contract Notice, must confirm they have (or have access to) the relevant supply chain management and tracking systems to ensure a resilient and sustainable supply chain. Bidders must provide a response at SPD Q4.C.4 and this will include confirmation that they have the systems in place to pay subcontractors through the supply chain promptly and effectively, and provide evidence when requested 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.

Bidders unable to confirm (b) must provide an improvement plan, signed by their Director, which improves payment performance. It should be noted that where a bidder is unable to confirm or provide a satisfactory improvement plan the Council reserves the right to remove you from the process.

Bidders are required to confirm whether they intend to subcontract and, if so, for what proportion of the contract.

Bidders who intend to subcontract more than 25% to any individual organisation must ensure the SPD (Scotland) - Subcontractors Supplier Response is completed and uploaded at question 2C.1 of the qualification envelope.

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

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

The conditions of contract will be the SBCC Measured Term Contract for use in Scotland (MTC/Scot 2011)

#### **III.2.3) Information about staff responsible for the performance of the contract**

Obligation to indicate the names and professional qualifications of the staff assigned to performing the contract

## **Section IV. Procedure**

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

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

Open procedure

#### **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

12 January 2024

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

12 January 2024

Local time

12:00pm

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## **Section VI. Complementary information**

### **VI.1) Information about recurrence**

This is a recurrent procurement: Yes

Estimated timing for further notices to be published: Q1 2027

### **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**

Prompt Payment-The successful tenderer shall, as a condition of being awarded the contract, be required to demonstrate to the council's satisfaction that all funds due to the tenderer's permitted sub-contractors in respect of these services are paid timeously and that as a minimum invoices rendered by subcontractors shall(unless formally disputed by the tenderer)be paid within 30 days

of receipt. The successful tenderer shall also impose this condition on its subcontractors in respect of payments due to any sub-sub-contractors, if any.

The Council reserves the right to request copies of insurance certificates from bidders at any point during the contract period. Failure to supply the information within timeframe requested may result in your bid being rejected & the Council proceeding with the procurement exercise to the next appropriate bidder. Additional information pertaining to this contract notice is contained within the Tender documents. Applicants must ensure they read in line with this contract notice

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 25355. For more information see:

<http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2343>

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:

East Renfrewshire Council is committed to maximising community benefits from contracts for works, goods and services in which the

Council has an interest. Community benefits should improve the economic, social or environmental wellbeing of the area. Under this contract the successful Contractor will be requested to support East Renfrewshire Council's economic, environmental and social regeneration objectives to achieve benefits for our identified beneficiary hierarchy.

Tier 1. Targeted recruitment and training for priority employability groups.

Tier 2. Work experience placements for the same target groups.

Tier 3. Curriculum support for schools and those on employability pathways.

Tier 4. Community Enhancement for community groups and projects.

Tier 5. Small and Medium Enterprises and Social Enterprise Organisations supply chain support.

Community Benefits has been included as a mandatory requirement. Minimum Community Benefit Points (CBP) Required - 10 Community Benefits points per year of the contract

(SC Ref:751974)

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

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

Paisley Sheriff Court and Justice of the Peace

Paisley

Country

United Kingdom