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Award

C375.142 Dundas Shawfair

Midlothian Council

F15: Voluntary ex ante transparency notice

Notice identifier: 2024/S 000-037010

Procurement identifier (OCID): ocds-h6vhtk-04b6d1

Published 15 November 2024, 12:49pm

Section I: Contracting authority/entity

I.1) Name and addresses

Midlothian Council

Midlothian House, Buccleuch Street

Dalkeith

EH22 1DN

Contact

Kingsley Ibizugbe

Email

kingsley.ibizugbe@midlothian.gov.uk

Telephone

+44 1312707500

Country

United Kingdom

NUTS code

UKM73 - East Lothian and Midlothian

Internet address(es)

Main address

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

Buyer's address

https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00336

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

C375.142 Dundas Shawfair

Reference number

MID-24-57

II.1.2) Main CPV code

- 45000000 - Construction work

II.1.3) Type of contract

Works

II.1.4) Short description

This is a voluntary ex ante transparency (VEAT) notice. Contract for the completion of 28 partially completed homes

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: £4,000,000

II.2) Description

II.2.3) Place of performance

NUTS codes

- UKM73 - East Lothian and Midlothian

Main site or place of performance

Shawfair

II.2.4) Description of the procurement

The Council had previously employed Stewart Milne (SM), to build 28 affordable homes on the site at Shawfair (the Works). Before completing the Works, SM went into administration in January 2024 leaving 28 unfinished homes on the site. The contract is for the completion of the Works.

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:

This is the direct award of a regulated procurement without first advertising the opportunity.

Justification for selected award procedure:

Reasons of urgency brought about by circumstances outwith the control of the contracting authority, the authority must proceed to award a contract without delay.

The Council is concerned if it does not take immediate action to take steps to finish the Works as soon as possible, the condition of the partially built 28 affordable homes will deteriorate significantly. This is compounded by the fact that the Works site, is adjacent to and partially surrounded by a private development which is ongoing. During the construction of the private development (a period of 24 months), access across the private development site operated by Dundas Building Co. Ltd. (Dundas) to enable the construction of the affordable housing will be severely restricted. This would mean that the Council would not be able to complete the Works within a timescale to avoid the deterioration of the Works. BY appointing Dundas, this would enable the Works to proceed alongside the private development minimising the deterioration.

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

The procurement is covered by the Government Procurement Agreement: Yes

Section V. Award of contract/concession

Contract No

MID-24-57 - Pre-construction

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

1 November 2024

V.2.2) Information about tenders

The contract has been awarded to a group of economic operators: No

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

Dundas Building Company

Alderstone House, MacMillan Road

Livingston

EH54 7AW

Telephone

+44 3458535000

Country

United Kingdom

NUTS code

- UKM73 - East Lothian and Midlothian

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: £4,000,000

Section VI. Complementary information

VI.3) Additional information

The award is not yet in place and would be dependent on final pricing being received from the Contractor and approved in Spring 2025.

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=783343.

(SC Ref:783343)

VI.4) Procedures for review

VI.4.1) Review body

Edinburgh Sheriff Court

Sheriff Court House, 27 Chambers Street

Edinburgh

EH1 1LB

Country

United Kingdom

VI.4.2) Body responsible for mediation procedures

Edinburgh Sheriff Court

Sheriff Court House, 27 Chambers Street

Edinburgh

EH1 1LB

Country

United Kingdom