

To: Finance, Resources and Customer Services Policy Board

On: 31 March 2021

Report by: The Chief Executive and the Director of Finance and Resources

Heading: Contract Award: St Anthony's Primary School – External Works (RC-CPU-20-189)

1. **Summary**

1.1 The purpose of this report is to seek the approval of the Finance, Resources and Customer Services Policy Board to award a Works Contract for St Anthony's Primary – External Works (RC-CPU-20-189) to John McGeady Limited.

1.2 The recommendation to award the Contract follows a procurement exercise conducted in accordance with the Council's Standing Orders Relating to Contracts for a below Regulated Threshold (Works) contract using the Open Tender Procedure.

1.3 A Contract Strategy was approved by the Head of Property Services and the Strategic Commercial Category Manager on Friday 27th November 2020.

2. **Recommendations**

2.1 It is recommended that the Finance, Resources and Customer Services Policy Board:

- a) Authorise the Head of Corporate Governance to award a Contract for St Anthony's Primary School – External Works (RC-CPU-20-189) to John McGeady Limited;
 - b) Authorise the award of this Contract up to the value of £263,506.97 excluding VAT;
 - c) Authorise the use of a potential contingency sum of £26,350.70 excluding VAT if required; and
 - d) Authorise the contract period of three (3) months with an anticipated date of possession Monday 28th June 2021 and an anticipated date for completion of the works on Friday of 17th September 2021. The actual date of possession will be confirmed in the Council's Letter of Acceptance to John McGeady Limited.
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3. Background

- 3.1 This procurement is for the appointment of a suitably experienced contractor to carry out external works at St Anthony's Primary School, Paisley. The works will involve reconstruction and realignment of the existing car park, including resurfacing, line marking, new street lighting and creation of a layby on the access road at St Anthony's Primary School.
- 3.2 A contract notice for this tender was published on the Public Contracts Scotland advertising portal on Monday 30th November 2020 with the tender documentation available for downloading from the Public Contracts Scotland – Tender platform from this date.
- 3.3 During the live tendering period nineteen (19) contractors expressed an interest in the tender. By the closing date set (Friday 22nd January 2021 at 12 noon), for return of electronic tender submission, ten (10) companies submitted a tender response, one (1) declined to respond and eight (8) failed to respond.
- 3.4 In accordance with the Council's Standing Order Relating to Contracts 11.5 all ten (10) tender submissions were evaluated against a pre-determined set of criteria in the form of the European Single Procurement Document (ESPD) by representatives from Property Services, the Corporate Procurement Unit, Corporate Risk and Corporate Health and Safety. This procurement exercise was carried out prior to the United Kingdom's EU exit on 31 December 2020 and

introduction of the new similar Single Procurement Document (SPD) process.

3.4 All ten (10) tenderers complied with the minimum selection criteria of the ESPD and progressed to the Award Stage which was based on an Award Criteria weighting of 40% Quality and 60% Price.

3.5 The scores relative to the award criteria for each tenderer are noted below:

		Price (60%)	Quality (40%)	Total (100%)
1	John McGeady Limited	60.00%	33.75%	93.75%
2	Luddon Construction Limited	55.80%	33.75%	89.55%
3	Clark Contracts Limited	43.34%	35.00%	78.34%
4	Hillhouse Quarry Group Ltd t/a MacAsphalt	42.39%	35.00%	77.39%
5	Caley Construction Limited	54.10%	21.75%	75.85%
6	J H Civil Engineering Limited	52.27%	19.00%	71.27%
7	WGM Engineering Limited	42.68%	28.00%	70.68%
8	Rainton Construction (Scotland) Limited	45.04%	25.25%	70.29%
9	Robinsons Scotland Limited	39.29%	28.75%	68.04%
10	Landscapes and Contracts Limited	40.54%	26.50%	67.04%

3.6 The evaluation of tender submissions received identified that the tender submission by John McGeady Limited was the most economically advantageous tender submission.

3.7 A capital budget of £335,000 has been made available for this Contract.

3.8 Community Benefits were requested as part of this procurement process and John McGeady Limited confirmed that the following Community Benefits would be made available to the Council for this Contract:

Community Benefit Description	No of People / Activity
Business advice/support to an SME /Social Enterprise/ Voluntary organisation	2

Implications of the Report

1. **Financial** - The cost for these works will be met by Education and Children Services Capital budget.
2. **HR & Organisational Development** - No TUPE implications
3. **Community/Council Planning –**
 - Our Renfrewshire is fair - Tenderers were assessed within this procurement process in regard to their approach to ensuring fair working practices throughout their organisation and supply chain i.e. payment of the living wage, training and development opportunities.
 - Our Renfrewshire is safe – A central requirement of Property Services is to ensure that Council operated property, facilities and assets are properly maintained in a manner that complies with existing statutory legislation (Statutory Compliance).
 - Creating a sustainable Renfrewshire for all to enjoy John McGeady Limited have committed to deliver Community Benefits as detailed within section 3.8 of this report.
4. **Legal** - The procurement of this Contract was conducted as a below Regulated (Works) Open Procurement Procedure in accordance with the Council's Standing Orders Relating to Contracts.
5. **Property/Assets** – The project will facilitate the upgrade of the existing car park and creation of a layby on the access road at St Anthony's Primary School.
6. **Information Technology** - No Information Technology implications have arisen or are anticipated.
7. **Equality & Human Rights** - The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report because for

example it is for noting only. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.

8. **Health & Safety** – John McGeady Limited health and safety credentials were evaluated by Corporate Health and Safety and met the Council's minimum requirements regarding health and safety.
9. **Procurement** – The procurement procedures outlined within this report shall ensure that the Council meets its statutory requirements in respect of procurement procedures, efficiency and modern Government.
10. **Risk** – John McGeady Limited insurances have been assessed and evaluated to confirm that they have met the minimum requirements regarding insurable risk.
11. **Privacy Impact** - No Privacy Impact implications have been identified or are anticipated.
12. **Cosla Policy Position** – No COSLA Policy Position implications have arisen or are anticipated.
13. **Climate Risk – Waste Production** - The level of impact associated with provision of these works has been assessed using the Scottish Government Sustainability Test and is considered to be low risk. Contractors are required to provide documented procedures for dealing with waste (e.g. waste management plans, waste segregation, recycling etc.).

List of Background Papers

- (a) None

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