

To: Finance, Resources and Customer Services Policy Board

On: 14 September 2023

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

Heading: Contract Award: Ferguslie Sport Centre Refurbishment (RC-CPU-23-053)

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 Ferguslie Sport Centre Refurbishment to City Gate Construction (Scotland) 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 June 2023 for a below Regulated (Works) contract using the Open Procedure.
 - 1.3 A Contract Strategy was approved by the Strategic Commercial and Procurement Manager and the Programme Director- City Deal and Infrastructure in June 2023.
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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 Ferguslie Sport Centre Refurbishment (RC-CPU-23-053) to City Gate Construction (Scotland) Limited.

- (b) Authorise the Tendered Total of £ 573,984.47 excluding VAT and an additional 10% contingency for any unforeseen works.
- (c) Note the proposed Date of Possession is 30th October 2023 and Date for completion of the Works is 21st April 2024. Any changes to these dates will be confirmed in the Council's Letter of Acceptance.

3. Background

- 3.1 This procurement exercise is for the appointment of a competent and experienced contractor to undertake internal and external refurbishment works at Ferguslie Sport Centre, a Council owned community facility.
- 3.2 The Contract is part of the Cultural Infrastructure Programme to improve external sport facilities in Renfrewshire and the works comprise major structural alterations to the changing room area along with roof repairs, boiler plant replacement and partial rewire works.
- 3.3 A Contract Notice was published on Public Contract Scotland advertising portal on 19th June 2023 with tender documentation available for downloading from Public Contract Scotland – Tender portal from this date.
- 3.4 During the live tender period, thirteen organisations expressed an interest in the tender. By the closing date set for the return of electronic tender submissions, 12 noon on Thursday 20th July 2023, four organisations submitted a tender response, five organisations declined to respond, and four organisations did not respond.
- 3.5 In accordance with the Council's Standing Orders relating to Contracts June 2023 standing order 11.5, Tenderers were required to complete a Single Procurement Document (SPD) to be submitted with their tender submission. All four tender submissions were evaluated against a pre-determined set of criteria in the form of the SPD by representatives from the following Council services: Property Services, the Corporate Procurement Unit, Corporate Risk and Corporate Health & Safety.
- 3.6 All four tender submissions received, complied with the minimum selection criteria of the SPD. The four tender submissions were each evaluated against the Award Criteria of 60% Quality and 40% Price.
- 3.7 The scores relative to the Award Criteria for each of the four tender submissions are noted below:

		Quality (60%)	Price (40%)	Total (100%)
1	City Gate Construction (Scotland) Limited	42.50%	40.00%	82.50%
2	Clark Contracts Limited	50.00%	32.40%	82.40%
3	W.H. Kirkwood Limited	47.50%	34.64%	82.14%

4	Flemings Building Limited	47.50%	34.59%	82.09%
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- 3.8 The evaluation of tender submissions received identified that the submission by City Gate Construction (Scotland) Limited is the most economically advantageous tender.
- 3.9 The form of Contract is SBCC Standard Building Contract Without Quantities 2011 Edition (SBC/XQ/Scot), incorporating the Employer Amendments.
- 3.10 The costs for the Ferguslie Sport Centre Refurbishment (RC-CPU-23-053) will be met through the Capital General Services.
- 3.11 Community Benefits were requested as part of the procurement process and City Gate Construction (Scotland) Limited confirmed that the following Community Benefits would be made available to the Council for this Contract:

Community Benefit Description	No of People / Activity
Job for unemployed individual from Priority Group	1
Job for unemployed individual	1
Work Experience Placement for an individual 16+ years of age	2

Implications of the Report

- Financial** The Financial and Economic Standing of the recommended bidder has been assessed as part of the tender selection criteria, which City Gate Construction (Scotland) Limited passed. The cost for these works will be met by the Capital General Services budget.
- HR & Organisational Development** – None.
- Community/Council Planning** –
 - Place* – working together to enhance wellbeing across communities, Ferguslie Sport Centre is a community facility and enhancement to the property will improve its use for Renfrewshire's communities.
 - Economy – building an inclusive, green and resilient economy (matching people, skills and opportunities)* – improving lives and securing wellbeing through a stronger, inclusive and sustainable economy. Community Benefits contribute to creating sustainable employment opportunities for people who live in Renfrewshire and encourage growth of businesses already operating ensuring that all people can benefit from the inclusive growth in Renfrewshire.

- *Fair – nurturing bright, happy and healthy futures for all* - Working with a range of partners to support the improved health and wellbeing of our citizens and reducing inequalities in Renfrewshire, focusing on supporting our communities through the cost-of-living crisis with dignity and empowering people to live fulfilled lives. Tenderers were assessed within the procurement process regarding their approach to Fair Work First throughout their organisation and supply chain i.e. payment of the living wage, training and development opportunities and effective voice.
 - *Green - leading Renfrewshire to Net Zero*- Ensuring our journey to net zero is a just transition with climate justice and fairness at the heart, finding opportunities to challenge inequalities in new green ways as we tackle the climate crisis
 - *Living our values – making a difference together* – City Gate Construction (Scotland) Limited has committed to deliver Community Benefits as set out within 3.11 of this report.
4. **Legal** -The Procurement of this Contract was conducted as a below Regulated (Works) Open Procedure in accordance with the Council's Standing Orders Relating to Contracts June 2023.
 5. **Property/Assets** - The Contract will facilitate the internal and external upgrade of the Ferguslie Sport Centre that will ensure that the Council's assets are upgraded to a proper standard and maintained in a manner that complies with statutory legislation and enhance the property to improve its use for communities.
 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. 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** – City Gate Construction (Scotland) 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 ensure that the Council meets its statutory requirements in respect of procurement procedures, efficiency, and modern Government.
 10. **Risk** - City Gate Construction (Scotland) Limited insurances have been evaluated by Corporate Risk and City Gate Construction (Scotland) Limited commit to obtain insurances which meet minimum requirements regarding insurable risk prior to contract award.

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** – The level of impact associated with provision of these works has been assessed using the Scottish Government Sustainability Test and is considered high risk.

Waste Management Plan – City Gate Construction (Scotland) Limited will take a proactive approach to waste reduction and recycling at the site encouraging their workforce and subcontractors to reduce, reuse and recycle materials as governed by their Site Waste Management Plan.

List of Background Papers

(a) None.

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