Scotland Excel Executive Sub Committee

To: Executive Sub Committee

On: 28 August 2015

Report by Director

Tender: Buildings Related Engineering Consultancy

Schedule: 1113

Period: 1 October 2015 until 30 September 2017 with an option to extend for up to a

further two years until 30 September 2019

1. Introduction and Background

This recommendation is for a national collaborative framework for the provision of buildings related engineering consultancy services which encompasses mechanical, electrical, civil and structural engineering activities including inspection, feasibility and design. This is the second of a suite of construction consultancy frameworks that Scotland Excel is delivering on behalf of councils.

Councils have a wide range of statutory duties relating to the scope of the framework. In order to fulfil these duties, councils engage external consultant services to supplement internal resource, gain specialist advice and deal with peaks in workload. This framework will provide an efficient method of engaging external consultancy for services commonly used across councils which in turn will realise benefits for both councils and consultants in terms of cost savings and the adoption of best practice. The NEC3 Professional Services Contract 2013 and the NEC3 Professional Services Short Contract 2013 form the terms and conditions on which councils will contract.

This report summarises the outcome of the procurement process for a national framework arrangement for the provision of buildings related engineering consultancy services from 1 October 2015 to 30 September 2017, with the option to extend up to a further two years until 30 September 2019.

2. Scope, Participation and Spend

As part of the strategy development, two lots were agreed for inclusion in this framework for which consultants could offer on a geographical basis based on council boundaries.

Table 1

Lot No.	Description
1	Civil & Structural Engineering
2	Mechanical & Electrical Engineering

The lotting strategy was designed to be representative of the marketplace. Traditionally councils sought a single rate to cover all project types however to encourage the participation of specialist and local consultants and competitive offers under the framework each lot was further broken down into service categories to reflect different building and project types. Additionally each lot was divided into four project value bands ranging from up to £100k to over £5 million in order to encourage SME participation and facilitate all consultants to submit competitive bids.

As detailed in Appendix 1, 26 councils have confirmed their intention to participate on the framework from the start date and a further four councils have confirmed they may participate once their current contractual arrangements expire. In addition the Advanced Procurement for Universities and Colleges (APUC) has confirmed their intention to participate on the framework from the start date.

The value of work awarded under the framework is dependent on the level of funding councils receive and their ability to utilise internal resources. It is anticipated that spend will be lower in the initial two years of the framework and will increase to the levels indicated in Appendix 3 in the later years, therefore the framework was advertised at £40 million over the maximum period of four years.

3. Procurement Process

The User Intelligence Group (UIG) consisting of procurement and technical representatives from councils endorsed the procurement strategy.

To encourage maximum participation in a competitive market, the UIG agreed that an open tender process should be followed to allow a choice of consultant and ensure geographical coverage. The framework provides the flexibility to respond to urgent demand and maximise the use of specialist services offered by consultants.

As part of the preparation of the framework we also undertook preliminary market consultations which were advertised to the market in advance by way of the publication of a Prior Information Notice (PIN). The resulting consultations involved prospective bidders as well as other stakeholders.

The PIN and the framework were advertised in the Public Contracts Scotland Portal as well as the Official Journal of the European Union.

The procurement followed a two stage tendering procedure. At the first stage, tender responses were assessed against financial capability, technical/professional capability and business probity requirements. Tenderers were required to pass this stage in order for their offer to be evaluated.

At the second stage of the process, the offers were evaluated against the following published criteria and weighting:

Technical 60% Commercial 40%

Within the technical section, tenderers were required to evidence their knowledge and experience within each service category by responding to method statements which covered areas including; management of resources, provision of building manuals and drawings, project management and the range and technical merit of their key staff. Where tenderers offered for the two highest value project bands they were asked an additional question relating to building information modeling.

Within the commercial section, tenderers were invited to offer for each council on any combination of lot, service category and project value band. The commercial offer consisted of percentage rates, based on the anticipated value of the construction work, and hourly rates for pre-defined and commonly purchased roles.

4. Report on Offers Received

The tender document was downloaded by 69 organisations with 32 tenderers submitting an on time response. One tenderer failed to include a commercial submission as part of their response and therefore was non compliant and not considered further.

A summary of the tender responses received, together with the applicable lots offered and SME status, is provided in Appendix 2.

Based on the detailed scoring methodology set out in the tender documents, a full evaluation of the offers received was completed. Appendix 3 of this report sets out a high level summary and the final status of each tenderers bid for each offer submitted. To report fully in detail on the high volume of scores involved final scores for each tenderer, per council, per lot, are set out in the separate document entitled 'BREC 1113 Final Scores' which can be accessed via the following link: http://www.scotland-excel.org.uk/web/FILES/BREC1113/BREC1113FinalScores.xlsx

5. Recommendations

Based on the evaluation undertaken on the criteria set out above, it is recommended that a multi supplier framework agreement is awarded to 29 consultants across the two lots as outlined in Appendix 3.

The range of recommended consultants awarded to each council varies from eight to fourteen consultants per lot with councils being able to utilise between three and eight consultants for each category. This will provide best value to councils by ensuring there is sufficient competitive capacity and full geographical and service coverage to meet operational requirements,.

As well as offering best value and geographical coverage, the 29 recommended consultants represent a mix of small, medium and large organisations with nearly two thirds (18) of the recommended consultants being classed as either small or medium enterprises.

6. Benefits

Savings

Scotland Excel has not undertaken a benchmarking exercise for this framework. As anticipated in the procurement strategy, only a limited number of comparable rates were available however those rates provided indicate that the framework rates are competitive with those locally secured by councils.

In addition, the rates are underpinned by long term price stability. All recommended consultants have agreed to fixed percentage fees for the full period of the framework, including any potential extension period.

All recommended consultants have agreed to fix the hourly rates for the first two years of the framework until 30 September 2017. Any requests for price increases thereafter will be considered in accordance with the defined Scotland Excel process and, if agreed, will be limited to the general rise in inflation.

Additional price stability has been incorporated into the framework pricing mechanism through the fixed price lump sum. This pricing option is calculated in reference to the anticipated construction value and therefore will not change irrespective of the actual construction value of the project, nor will it change should the actual number of hours required to complete the services vary from those anticipated.

Workforce Matters

For information only, as part of their tender submission bidders were asked a non scored question on payment of the living wage. Their responses did not form part of the recommendations of this report.

The responses confirm that 25 out of the 29 recommended bidders pay the living wage or above to all their employees (except volunteers, apprentices and interns) with the remaining four committed to doing so within 24 months of the contract start date. Two recommended bidders are accredited living wage employers with the Living Wage Foundation and four have committed to gaining accreditation within the first two years of the framework.

Scotland Excel will include Living Wage accreditation within its contract and supplier management programme and will work with all bidders who have not yet secured accreditation to encourage them achieve this.

Other Benefits

The framework is based on the NEC3 suite of contracts which are recommended by the Institute of Civil Engineers for procurement of construction works and services. The use of the NEC3 standard form of contract brings many benefits both to councils and consultants including;

- Contract terms which are tailored to the service;
- Standard documentation for the award of work packages; and
- Consistency of mutually agreed terms and conditions across councils and consultants.

The procurement strategy, agreed with participating councils, determined that community benefits would be relevant and proportionate only for larger projects where the fees paid and time involved could justify the commitment. Consultants were therefore not required to provide community benefits under the framework however councils can choose to include them within the criteria for consideration as part of a mini competition conducted through the framework. Scotland Excel will monitor and report on the delivery of community benefits under the framework as part its contract and supplier management programme.

7. Contract Mobilisation and Management

In accordance with Scotland Excel's established contract and supplier management programme, this framework has been classed as a Level 1 arrangement in terms of risk and expenditure.

Following the award of this framework, Scotland Excel will host a series of mobilisation meetings with purchasers to assist and encourage their engagement with the framework and the realisation of the potential benefits of the framework. These sessions will focus on the utilisation of the NEC3 form of contract and the obligations and benefits that the contractual terms incorporate. In addition, following the award of this framework, meetings will take place with all successful consultants.

As part of the ongoing management of the framework Scotland Excel will meet with the UIG on a regular basis throughout the lifetime of the contract to give councils the opportunity to share best practice and report openly on their experience of the framework. Scotland Excel will also meet with consultants regularly. This will give Scotland Excel full visibility of how the framework is operating and allow for the early resolution of any identified issues.

8. Summary

The Executive Sub Committee is requested to approve the recommendation to award this framework arrangement as detailed in Appendix 3.

Appendix 1 – Participation and Spend Summary – Buildings Related Engineering Consultant (11-13)

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Member Name	Participation in Contract	Participation Entry Date	Estimated Annual Spend (£)	Source of Spend Data
Aberdeen City Council	Yes	01 October 2015	£278,151	Spikes Cavell
Aberdeenshire Council	Yes	01 October 2015	£1,287,498	Spikes Cavell
Angus Council	Yes	01 October 2015	£50,000	Spikes Cavell - Confirmed by Member
Argyll & Bute Council	Yes	01 October 2015	£50,000	Member Provided
City of Edinburgh Council	No			
Clackmannanshire Council	Yes	01 October 2015	£43,405	Spikes Cavell - Confirmed by Member
Comhairle nan Eilean Siar	Yes	01 October 2015	£103,081	Spikes Cavell - Confirmed by Member
Dumfries & Galloway Council	Yes	01 October 2015	£251,845	Spikes Cavell - Confirmed by Member
Dundee City Council	No			
East Ayrshire Council	Yes	01 October 2015	£1,219,975	Spikes Cavell
East Dunbartonshire Council	Yes	01 October 2015	080'LE93	Spikes Cavell
East Lothian Council	Yes	01 October 2015	£114,269	Spikes Cavell
East Renfrewshire Council	Yes	01 October 2015	£150,000	Member Provided
Falkirk Council	Yes	01 October 2015	£713,328	Spikes Cavell
Fife Council	Yes	13 February 2018	£215,000	Member Provided
Glasgow City Council	Yes	01 October 2015	£1,408,561	Spikes Cavell - Confirmed by Member
Highland Council	Yes	01 October 2015	£1,000,000	Member Provided
Inverclyde Council	Yes	01 October 2015	£252,440	Spikes Cavell - Confirmed by Member
Midlothian Council	Yes	01 October 2015	£98,235	Spikes Cavell - Confirmed by Member
North Ayrshire Council	Yes	24 August 2016	£40,000	Member Provided
North Lanarkshire Council	Yes	01 October 2015	£907,879	Spikes Cavell
Orkney Islands Council	Yes	01 October 2015	£159,439	Spikes Cavell
Perth & Kinross Council	Yes	01 October 2016	£856,861	Spikes Cavell
Renfrewshire Council	Yes	01 October 2015	£231,976	Spikes Cavell - Confirmed by Member
Scottish Borders Council	Yes	01 October 2015	£393,961	Spikes Cavell - Confirmed by Member
Shetland Islands Council	Yes	01 October 2015	£450,000	Spikes Cavell - Confirmed by Member
South Ayrshire Council	Yes	01 October 2015	£163,631	Spikes Cavell - Confirmed by Member
South Lanarkshire Council	Yes	01 October 2015	£200,000	Member Provided
Stirling Council	Yes	01 October 2015	£160,770	Spikes Cavell - Confirmed by Member
The Moray Council	Yes	11 March 2017	£200,000	Spikes Cavell - Confirmed by Member
West Dunbartonshire Council	Yes	01 October 2015	£260,000	Member Provided
West Lothian Council	Yes	01 October 2016	£450,420	Spikes Cavell - Confirmed by Member
APUC	Yes	01 October 2015		
Associate Members	Yes	01 October 2015		
Totals			£12,347,805.00	

Appendix 2 - SME Status Buildings Related Engineering Consultancy 11-14

Consultant Name	SME Status	Location	Lots Offered
ACTS Partnership Ltd	Small	Glasgow	2
Aecom Infrastructure & Environment UK Ltd	Large	Basingstoke	1,2
Blackwood Partnership Ltd	Small	Edinburgh	2
Buro Happold Ltd	Large	Bath	1,2
Capita Property and Infrastructure Ltd	Large	London	2
Clancy Consulting Ltd	Medium	Altrincham	1,2
Cundall Johnston & Partners LLP	Medium	Newcastle Upon Tyne	1,2
Curtins Consulting Ltd	Medium	Liverpool	1
David Narro Associates Ltd	Small	Edinburgh	1
Davie + McCulloch Ltd	Medium	Glasgow	2
Engineering Services Partnerships Ltd	Small	Croydon	2
Fairhurst	Large	Glasgow	1
Forbes Leslie Network Ltd t/a FLN Consulting Engineers	Small	Paisley	2
Hulley & Kirkwood Consulting Engineers Ltd	Medium	Glasgow	2
Hurley Palmer Flatt Ltd	Medium	Purley	2
Morgan Sindall Professional Services Ltd	Large	London	1,2
Mott MacDonald Ltd	Large	Croydon	1,2
Ove Arup & Partners Scotland Ltd	Large	South Queensferry	1,2
Peter Brett Associates LLP	Medium	Reading	1
Pick Everard	Large	Glasgow	1,2
PUNCH Consulting Engineers Ltd	Medium	Paisley	1
Ramboll UK Ltd	Large	London	1,2
Rybka Ltd	Small	Edinburgh	2
Scott Bennett Associates Ltd	Medium	Dunfermline	1
Struer Consulting Engineers Ltd	Small	Glasgow	1
TPS Consult Ltd	Large	Wolverhampton	1
Will Rudd Davidson (Edinburgh) Ltd	Small	Edinburgh	1
Woolgar Hunter Ltd	Small	Glasgow	1
Wren & Bell	Small	Edinburgh	1
WSP UK Ltd	Large	London	1,2
WYG Engineering Ltd	Medium	Leeds	1

Appendix 3 – Scoring and Recommendation

A full list of scores and recommendations by council, lot, project value band and service category are located in the document 'BREC 1113 Final Scores' located here http://www.scotland-excel.org.uk/web/FILES/BREC1113/BREC1113FinalScores.xlsx.

Lot 1 - Civil & Structural Engineering			
Tenderers	Full Award	Part Award	Unsuccessful
Aecom Infrastructure & Environment UK Ltd		✓	
Buro Happold Ltd		✓	
Clancy Consulting Ltd		✓	
Cundall Johnston & Partners LLP		✓	
Curtins Consulting Ltd		✓	
David Narro Associates Ltd		✓	
Fairhurst		✓	
Morgan Sindall Professional Services Ltd			✓
Mott MacDonald Ltd		✓	
Ove Arup & Partners Scotland Ltd		✓	
Peter Brett Associates LLP		✓	
Pick Everard		✓	
PUNCH Consulting Engineers Ltd		✓	
Ramboll UK Ltd		✓	
Scott Bennett Associates Ltd		✓	
Struer Consulting Engineers Ltd		✓	
TPS Consult Ltd		✓	
Will Rudd Davidson (Edinburgh) Ltd		✓	
Woolgar Hunter Ltd			✓
Wren & Bell			✓
WSP UK Ltd		✓	
WYG Engineering Ltd	✓		

Lot 2 - Mechanical & Electrical Engineering			
Tenderers	Full Award	Part Award	Unsuccessful
ACTS Partnership Ltd		✓	
Aecom Infrastructure & Environment UK Ltd		✓	
Blackwood Partnership Ltd		✓	
Buro Happold Ltd			✓
Capita Property and Infrastructure Ltd		✓	
Clancy Consulting Ltd		✓	
Cundall Johnston & Partners LLP			✓
Davie + McCulloch Ltd		✓	
Engineering Services Partnerships Ltd		✓	
Forbes Leslie Network Ltd		✓	
Hulley & Kirkwood Consulting Engineers Ltd		✓	
Hurley Palmer Flatt Ltd		✓	
Morgan Sindall Professional Services Ltd		✓	
Mott MacDonald Ltd		✓	
Ove Arup & Partners Scotland Ltd			✓
Pick Everard		✓	
Ramboll UK Ltd		✓	
Rybka Ltd		✓	
WSP UK Ltd			✓

Page 9 of 11	1	1	of	9	Page
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Lot 1 – Civil and Structural Engineering
A full list of scores and recommendations by council, lot, project value band and service category are located in the document 'BREC 1113 Final Scores' located here:

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'F' donates a full award 'P' donates a part award 'X' donates unsuccessful

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Tenderer	Aberdeen	Aberdeenshi	Angus	Argyll &	City of Edinburgh	Clackmanna	Comhairle nan Eilean	Dumfries & Galloway	Dundee City	East Ayrshire	East Dunbartons	East Lothian	East Renfrewshir	Falkirk	Fife Council	Glasgow City
	City Council	re Council	Council	Bute Council	Council	Council	Siar	Council	Council	Council	hire Council	Council	e Council	Council		Council
Aecom Infrastructure & Environment UK Ltd	ш	ш	ш	Ь	ш	ш	Ь	ш	ш	ч	ш	F	ш	ш	ш	ш
Buro Happold Ltd	Ь	×			×	×		×	×	×	×	×	×	×	×	×
Clancy Consulting Ltd			×	Р	Ь	Ь		Ь	Ь	Р	Р	Р	Ь	Ь	Ь	Ь
Cundall Johnston & Partners LLP	Ь	Ь	×	×	Ь	×	×	×	Ь	×	×	Р	×	А	×	Ь
Curtins Consulting Ltd	Ь	Ь	Ь	×	Ь	Ь	Ь	Ь	Ь	Ь	Ь	Р	Ь	Ь	Ь	Ь
David Narro Associates Ltd	×	×	×	×	×	×	×	×	×	×	×	×	×	×	×	×
Fairhurst	ч	Ь	Ь	ч	Ь	Р	Ь	Ь	Ь	Р	Р	Р	Ь	Ь	Ь	Ь
Morgan Sindall Professional Services Ltd				×	×	×				×	×	×	×	×	×	×
Mott MacDonald Ltd	Ь	Ь	Ь	Ь	Ь	Ь	F	Ь	Ь	Ь	Ь	Р	Ь	Ь	Ь	Ь
Ove Arup & Partners Scotland Ltd	Ь	Ь	Ь	Ь	d	Ь	Ь	Ь	d	Ь	Ь	Р	Ь	Ь	Ь	Ь
Peter Brett Associates LLP	×	×	×	Ь	X	×	Ь	×	×	×	×	×	×	×	×	×
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PUNCH Consulting Engineers Ltd	Ь	Ь	Ь	Ь		Ь		Ь	Ь	Ь	Ь	Р	Ь			Ь
Ramboll UK Ltd	×	×	X	×	X	×	×	×	×	×	×	×	×	×	×	×
Scott Bennett Associates Ltd	Ь	Ь	Ь	Ь	d	Ь	×	Ь	Ь	Ь	Ь	Ь	Ь	Ь	Ь	Ь
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	Highland	Invercivde	Midlothian	North	North	Orkney	Perth &	Renfrewshir	Scottish	Shetland	South	South	Stirling	The Morav	West	West
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Clancy Consulting Ltd		Ь	Ь	Ь	Ь		Ь	Ь	Ь		Ь	Ь	Ь		Ь	Д
Cundall Johnston & Partners LLP	×	×	×	×	×	Ь	×	×	×	×	×	×	Ь	×	×	Ь
Curtins Consulting Ltd	А	Ь	Ь	Ь	Ь	Ь	Ь	Ь	Ь	Ь	Ь	Р	А	Ь	Д	Д
David Narro Associates Ltd	×	×	×	×	×	Ь	×	×	×	Ь	×	×	×	×	×	×
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Scott Bennett Associates Ltd	×	Ъ	Ъ	Ь	Ь	×	Ь	Д	Ь	×	Ь	Р	Ъ	×	Д	Д
Struer Consulting Engineers Ltd		×	×	×	×			×			Р	×	×		×	×
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Lot 2 – Mechanical & Electrical Engineering A full list of scores and recommendations by

A full list of scores and recommendations by council, lot, project value band and service category are located in the document 'BREC 1113 Final Scores' located here: http://www.scotland-excel.org.uk/web/FILES/BREC1113/BREC1113FinalScores.xlsx

'F' donates a full award																
'P' donates a part award 'X' donates unsuccessful																
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	City Council	re Council	Council	Bute Council	Council	Council	Siar	Council	Council	Council	hire Council	Council	e Council	Conncil		Council
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Blackwood Partnership Ltd	Ь	Ь	Ь	۵	Ь	۵	۵	Ь	а	Ь	а	Ь	А	Ь	Ь	Ь
Buro Happold Ltd	×	×			×	×		×	×	×	×	×	×	×	×	
Capita Property and Infrastructure Ltd	×	Ь	Ь	۵	۵	۵	۵	Ь	۵	Ь	۵	Ъ	۵	Ь	۵	۵
Clancy Consulting Ltd	Ь	Ь	Ь	۵	А	А		Ь	۵	Ь	۵	Ь	Ь	Ь	Ь	۵
Cundall Johnston & Partners LLP	×	×	×	×	×	×	×	×	×	×	×	×	×	×	×	×
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Hurley Palmer Flatt Ltd	۵	Ь	Ь	×	×	×	۵	۵	۵	۵	×	۵	×	×	۵	×
Morgan Sindall Professional Services Limited				۵	×					Ь	۵	ط	۵	×	۵	×
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Ove Arup & Partners Scotland Limited	×	×	×	×	×	×	×	×	×	×	×	×	×	×	×	×
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	Highland	Inverdyde	Midlothian	Ayrshire	Lanarkshire	Uslands	Kinross	Renfrewshir	Borders	Islands	Ayrshire	South Lanarkshire	Stirling	The Moray	Dunbartons	west Lothian
Tenderer	Council	Council	Council		Council	Council	Conncil	e Council	Council	Council	Council	Council	Connoil	Council	hire Council	Council
ACTS Partnership Ltd	ш	Ь	Ь	۵	Ь	А	ш	Ь	ш	Ь	Ь	Ь	Ь	ш	Ь	۵
Aecom Infrastructure & Environment UK Ltd	Ь	Ь	d	Ь	Ь		Ь	Ь	Ь		Ь	Ь	d	Ы	Ь	Ь
Blackwood Partnership Ltd	Ь	Ь	Ь	Ь	Ь	Ь	Ь	Ь	Ь	Ь	Ь	Ь	Ь	Р	Ь	Ь
Buro Happold Ltd	×	×	X	×	×		×	×	×		×	×	×	×	×	×
Capita Property and Infrastructure Ltd	×	Р	Р	Ь	Ь	Ь	Ь	Ь	Ь	Р	Ь	Р	Ь	×	Ь	Ь
Clancy Consulting Ltd	Ь	Ь	Ъ	Ъ	Д	Д	Ъ	Ь	Ъ		Д	Ь	Ъ	Ь	Ь	Д
Cundall Johnston & Partners LLP	×	×	×	×	×	×	×	×	×	×	×	×	×	×	×	×
Davie + McCull och Ltd	Р	Ь	Р	Ь	Ь	Ь	Р	Ь	Ь	Ь	Ь	Р	Ь	Ь	Ь	Ь
Engineering Services Partnerships Ltd			Р		Ь		Ь		Ь			Р	А			Ь
Forbes Leslie Network Ltd t/a FLN Consulting Engineers	Р	×	×	×	×	×	×	×	×	×	×	×	×	Р	×	×
sulting Engineers L		Р	Р	Ь	Ь		Ь	Ь	Ь		Ь	Р	А		Ь	Ь
Hurley Palmer Flatt Ltd	Ь	×	X	×	×	Ь	Ь	×	Ь	Ь	×	×	×	Р	×	×
Morgan Sindall Professional Services Limited		Ь	×	Ь	×		Ь	Ь			Ь	×	×		Ь	×
Mott MacDonald Ltd	Р	Р	Ь	Ь	Ь	Ь	Ь	Ь	Ь	F	Ь	Р	Ь	Р	Ь	Ь
Ove Arup & Partners Scotland Limited	×	×	×	×	×	×	×	×	×	×	×	×	×	×	×	×
Pick Everard	Ь	Ь	Ъ	Ъ	Д	ш	Ъ	Ь	Ф	ч	Д	Ь	Ъ	۵	Д	Ф
Ramboll UK Limited	Ь	Ь	d	۵	Д	Д	Ь	Ь	А	Ь	А	Ь	Ь	Ь	А	Д
Rybka Limited	Ь	Ь	Ь	Ф	Д	Д	Д	Ь	۵	Ь	×	Ь	×	۵	×	×
WSP UK Limited	×	×	×	×	×		×	×	×		×	×	×	×	×	×