

To: Finance, Resource and Customer Service Policy Board

On: 30th March 2023

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

Heading: Contract Award: Hawkhead Cemetery Civils Upgrade, (RC-CPU-22-193)

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 Hawkhead Cemetery Civils Upgrade (RC-CPU-22-193) to John McGeady Limited.
 - 1.2 The recommendation to award the Contract follows a procurement process conducted in accordance with the Council's Standing Orders Relating to Contracts 1 January 2022 for a below Regulated (Works) contract using the Open Procedure.
 - 1.3 A Contract Strategy was approved by the Strategic Commercial Category Manager and the Head of Property Services on 13th January 2023.
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2. **Recommendations**

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

- 2.1 Authorise the Head of Corporate Governance to award a contract for Hawkhead Cemetery Civils Upgrade, (RC-CPU-22-193) to John McGeady Limited.
- 2.2 Authorise the Contract Sum of £230,278.55 excluding VAT.
- 2.3 Note the Contract has sectional completion requirements and the proposed Date of Possession of the Site and proposed Dates for completion of the Works for those Sections are noted below. Any changes to these undernoted dates will be confirmed in the Council's Letter of Acceptance.

	The Date of Possession of Sections	Date of Completion of Sections
Section 1	1 st May 2023	2 nd June 2023
Section 2	5 th June 2023	30 th June 2023

3. **Background**

- 3.1 This procurement exercise is for the appointment of a competent and suitably qualified Contractor to carry out the Reconstruction of roads, carriageways, drainage, and kerbs within Hawkhead Cemetery.
- 3.2 To initiate this procurement process a Contract Notice was published on the Public Contract Scotland advertising portal on Friday 13th January 2023 with the tender documentation available for download from the Public Contract Scotland – Tender portal from this date.
- 3.3 During the live tender period 23 organisations expressed an interest in this tender. By the closing date set for the return of electronic tender submissions, 4pm, Wednesday 8th February 2023, 7 organisations submitted a tender response, 4 declining to respond due to timescales, resources, and value of the contract and 12 failed to respond.
- 3.4 In accordance with the Council's Standing Orders Relating to Contracts 1 January 2022 standing order 11.5, Tenderers were required to complete a Single Procurement Document (SPD) to be submitted with their tender submission. The seven tender submissions were each evaluated against a pre-determined set of selection criteria in the form of the SPD by representatives from the following Council Services: the Corporate Procurement Unit, Property Services, Corporate Risk and Corporate Health and Safety.

- 3.5 All seven tender submissions received complied with the minimum selection criteria of the SPD. The seven tender submissions were each evaluated against the Award Criteria of 60% Price and 40% Quality.
- 3.6 The scores relative to the Award Criteria for each of the seven tender submissions are noted below:

		Price (60%)	Quality (40%)	Total (100%)
1	John McGeady Limited	60.00%	37.75%	97.75%
2	Hillhouse Quarry Group Limited	55.97%	38.00%	93.97%
3	Landscapes and Contracts Limited	53.56%	20.50%	74.06%
4	Affiniti Response Limited	50.71%	20.75%	71.46%
5	JH Civil Engineering Limited	46.20%	24.75%	70.95%
6	Silverbirch Contracts Limited	55.94%	14.50%	70.44%
7	Caley Construction Limited	38.84%	20.50%	59.34%

- 3.7 The evaluation of tender submissions received identified that the submission by John McGeady Limited was the most economically advantageous tender.
- 3.8 The form of Contract being used is the SBCC Standing Building Contract with Quantities 2011 edition (SBC/Q/Scot), incorporating the Employer's Amendments.
- 3.9 The Contract is being funded from the Capital General Services budget with a budget of £250,000 being made available for this contract.
- 3.10 Community Benefits were requested as part of the 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** – No financial implications have arisen or are anticipated. The Financial and Economic Standing have been assessed as part of

the tender selection criteria 4B.6 which John McGeady Limited passed. The cost for these works will be met by the Capital General Services budget.

2. **HR & Organisational Development** – No TUPE implications
3. **Community/Council Planning** –
 - **Our Renfrewshire is thriving** – Maximise opportunities for economic regeneration through the delivery of community benefits. John McGeady Limited has committed to deliver 20 Community Benefits.
 - **Reshaping our place, our economy and our future** –
 - Maximise opportunities for economic regeneration through the delivery of community benefits.
 - **Building strong, safe and resilient communities** –
 - Take appropriate, proportionate action to tackle the risks associated with Serious and Organised Crime groups infiltrating procurement processes;
 - **Creating a sustainable Renfrewshire for all to enjoy** –
 - Ensure that every contract strategy takes account of the potential impact on the environment and identifies ways in which the impact can be reduced aligned to our Sustainable Procurement Duty under the Climate Change (Scotland) Act;
 - Support the Council to achieve its ambition to be Carbon Neutral by 2030;
 - Drive innovation and best practice.
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 1 January 2022.
5. **Property/Assets** – This Contract will facilitate the upgrade of Hawkhead Cemetery that will ensure that the Council's assets are upgraded and maintained to a proper standard.
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** – 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 procedure outlined within this report ensures that the Council meets its statutory requirements in respect of procurement procedures, efficiency, and modern government.
10. **Risk** – John McGeady Limited were assessed and evaluated to confirm that they meet 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** – The environmental impacts were considered from the works carried out and the type of vehicles and machinery being used on the site. The Contractor will be required to consider the emissions from their vehicles when working on site and to switch engines off when not in use to prevent unnecessary emissions. The level of impact associated with provision of these works has been assessed using the Scottish Government Sustainability Test and is considered low risk.

The Scottish Procurement Document (SPD) Environmental Management questions 4C.7, 4D.1 and 4D.2 were utilised.

List of Background Papers

- (a) None

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