

To: Finance, Resources and Customer Services Policy Board

On: 10 December 2021

Report by: The Chief Executive

Heading: Notification of Contract Award for Paisley to Renfrew Active Travel Route (RC-CPU-20-146) authorised for award under clause 9.1j) of Standing Orders relating to Contracts

1. **Summary**

- 1.1 The purpose of this report is to notify the Finance, Resources and Customer Services Policy Board of a Contract for Paisley to Renfrew Active Travel Route authorised for award to JH Civil Engineering Limited by Head of Economy and Development on 23rd November 2021 under clause 9.1j) of Council Standing Orders Relating to Contracts.
- 1.2 The Council was successful in its grant application to the Scottish Government Clyde Mission Fund 2020/21. The conditions of the funding agreement required that funds be committed by 31st March 2021 in order to be eligible. If the conditions of the funding agreement could not be met, the Council would not receive the grant funding. To ensure that the grant could be utilised, the Head of Policy and Commissioning approved the use of standing order 9.1j) Council Standing Orders Relating to Contracts with the requirement for retrospective reporting to this Policy Board.

- 1.3 The award of the contract was delayed from March 2021 to November 2021 due to ongoing negotiations with Railway Paths Ltd to take ownership of part of the route in their ownership. Funds were drawn down on the 31 March 2021 and the grant funder was made aware of this situation and allowed this delay in use of the grant.
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2. **Recommendations**

The Finance, Resources and Customer Services Policy Board is asked to note:

- 2.1 that a Contract for Paisley to Renfrew Active Travel Route was awarded by the Council to JH Civil Engineering Limited (RC-CPU-20-146). This Contract was authorised by the Head of Economy and Development in accordance with clause 9.1j) of Council Standing Orders Relating to Contracts due to the conditions of grant timescales for committing the grant.
- 2.2 that the Contract had a revised starting date of 31 January 2022 with a completion date of 21 December 2022.
- 2.3 the approved total of the Prices under the Contract is £942,911.21 excluding VAT.
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3. **Background**

- 3.1 The Contract is for the construction of a shared pedestrian/ cycle track on the abandoned rail solum between Abercorn Street, Paisley and Wright Street, Renfrew, including surfacing, drainage and street lighting. Design and Build on-carriageway, way-finding signs and road markings plus minor civil and toucan traffic signal works associated with an on-road cycle route from Paisley Gilmour Street Rail Station to the south end of the abandoned rail solum and then from the north end of the abandoned rail solum to Renfrew Riverside.
- 3.2 The proposed active travel route between Renfrew Riverside and the River Clyde and Paisley Town Centre will complete a significant gap in the existing Renfrewshire active travel network. This route is identified in the approved Renfrewshire Cycling Strategy as the top priority.
- 3.3 When delivered, this new route will offer extensive benefits to businesses, communities and visitors in terms of accessing numerous nearby facilities as well as connecting some of Renfrewshire's most

important regeneration areas and future-proofing them for an era when active travel becomes more predominant in local area movement to work, education and for leisure.

- 3.4 The Scottish Government Clyde Mission Fund was identified, and an application was submitted by the Head of Regeneration in November 2020.
- 3.5 The funding conditions for awarding by end of March 2021 meant it was not possible within the timescales to seek authority from the Finance, Resources and Customer Services Policy Board. To ensure the grant could be accepted and utilised, the Head of Policy and Commissioning approved the use of standing order 9.1j) of the Council's Standing Orders relating to Contracts and this retrospective report to the board.
- 3.6 The contract award was delayed from March to November 2021 due to ongoing negotiations with Railway Paths Ltd to take ownership of part of the route in their ownership. The grant funder was kept informed during this time and accepted the delay in use of the grant.
- 3.7 A Contract Strategy was prepared by the Corporate Procurement Unit. This was approved by the Head of Economy and Development, the Head of Operations & Infrastructure and the Corporate Procurement Manager on 02 February 2021.
- 3.8 A contract notice was dispatched via the Public Contracts Scotland advertising portal with the notice published on 03 February 2021 and the tender documentation available for downloading from the Public Contracts Scotland – Tender platform.

During the tendering live period thirty-nine (39) companies expressed an interest in the tender. By the closing date set (12 noon, 17 March 2021) for return of electronic tender submissions five (5) companies submitted a response, twelve (12) declined to respond and twenty-two (22) companies did not respond.
- 3.9 All five (5) tender submissions complied with the minimum selection criteria of the SPD and progressed to evaluation of the Award Criteria which was based on a weighting of 30% Quality 70% Price.
- 3.10 One (1) tenderer withdrew their Tender Submission after clarifications on the commercial response.
- 3.11 The scores relative to the award criteria for each of the four (4) remaining Tender Submissions are noted below:

		Quality (30%)	Price (70%)	Total (100%)
1	JH Civil Engineering Limited	21.00%	70.00%	91.00%
2	John McGeady Ltd	28.75%	54.81%	83.56%
3	Caley Construction Ltd	18.00%	61.67%	79.67%
4	Noel Regan and Sons Building and Civil Engineering Contractors UK Ltd	17.75%	40.18%	57.93%

3.12 The evaluation of Tender Submissions received identified that the Tender Submission by JH Civil Engineering Limited was the most economically advantageous to the Council.

3.13 Community Benefits were requested as part of the procurement process and JH Civil Engineering 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 an unemployed individual	1
Work Experience Placement for an individual 16+ years of age	2

Implications of the Report

1. **Financial** – Grants awarded to the Council will be monitored in accordance with the terms and conditions of grant. The Council will liaise with Scottish Government to comply with Clyde Mission drawdown requirements and financial reporting requirements.
2. **HR & Organisational Development** – No TUPE implications have arisen or are anticipated.

3. **Community/Council Planning –**

- Our Renfrewshire is thriving – Community-led regeneration projects result in a stimulus to the local economy via contracts won and visitors and user numbers. The Renfrew Riverside to Paisley Town Centre Active Travel Route will support the objectives to develop Renfrewshire's economy, including its town centres as thriving places, supporting local places, businesses and communities.
- Our Renfrewshire is well - The delivery of actions through the projects have the potential to positively impact on physical, emotional and mental health and wellbeing. Implementing the projects will assist Renfrewshire citizens to have a positive attitude to their community.
- Our Renfrewshire is safe - Working in partnership with community, public and private sector stakeholders and organisations to achieve positive outcomes.
- Reshaping our place, our economy and our future - The projects will secure the productive re-use of a former railway line route and provide opportunities for active travel and further investment along its route. Increased usage of our town centres offers potential increases in leisure trips and footfall to traders, assisting the economy of our town centres.

4. **Legal** – The procurement of this Contract has been conducted as a below Regulated Threshold (Works) Open Procurement Procedure in accordance with the Council's Standing Orders Relating to Contracts.

5. **Property/Assets** - The Council concluded the missives and now own the land that was previously owned by Railway Paths Ltd. All land on the route transferred to the Council will now become part of its overall maintenance responsibility once the active travel route is constructed and in place.

6. **Information Technology** - None.

7. **Equality & Human Rights** -

- (a) 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** - Following evaluation, the recommended Tenderers Health and Safety credentials will be evaluated by the Councils Health and Safety team and deemed suitable before any Contract will be awarded.
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** - Following evaluation, the recommended Tenderers Insurance certificates will be evaluated by the Councils Risk Manager and deemed suitable before any Contract will be awarded.
11. **Privacy Impact** - None.
12. **Cosla Policy Position** - No COSLA Policy Position implications have arisen or are anticipated.
13. **Climate Risk** - The level of impact associated with the provision of this work has been assessed using the Scottish Government Sustainability Test. Vehicles and large machinery are routinely used in this type of works. The Tenderer will be required to hold ISO14001 Environmental Management System certification. The implementation of this new active travel route can assist in achieving the modal shift required to reduce the number of journeys made by private car, improving air quality and reducing traffic congestion in Renfrewshire.

List of Background Papers

- (a) "Scottish Government "Clyde Mission" Fund 2020: Award of Grant Funding" – Leadership Board 24 February 2021
 - (a) Contract for Paisley to Renfrew Active Travel Route (RC-CPU-20-146) under clause 9.1j) of Standing Orders relating to Contracts – Finance, Resources and Customer Services Policy Board 31 March 2021
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