

To: Special Finance, Resources and Customer Services Policy Board

On: 13 December 2022

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

Heading: Dargavel Primary School Temporary Modular Buildings – Contract Authorisation Report (RC-CPU-22-158)

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 Supply Contract for Dargavel Primary School Temporary Modular Buildings (RC-CPU-22-158) to Portakabin 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 and the Scottish Procurement Alliance (SPA) Framework for Design, Supply and Installation of Permanent and Temporary Modular Buildings (reference MB2) ("SPA Modular Buildings Framework") for an above Threshold Supply Contract.
- 1.3 A competitive award procedure was conducted under this SPA Framework, Workstream 1, Lot 2 (value band £500k-£3m).
- 1.4 A contract strategy was approved by the Strategic Commercial & Procurement Manager, the Head of Property and the Director of Children's Services on 10 November 2022.
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2. **Recommendations**

It is recommended that the Finance, Resources and Customer Services Policy Board authorise the Head of Corporate Governance to:

- (a) Award the Contract for the Dargavel Primary School Temporary Modular Buildings (RC-CPU-22-158) in accordance with the Scottish Procurement Alliance (SPA) Framework for Design, Supply and Installation of Permanent and Temporary Modular Buildings (reference MB2) Lot 2 Workstream 1 (UKM8 WS1 Project Value Band £500k - £3million) requirements to Portakabin Limited;
- (b) Authorise the Tendered Contract Sum of £1,722,641.03 (One million, seven hundred and twenty two thousand, six hundred and forty one pounds and three pence) excluding VAT;
- (c) Note that it is anticipated that the Contract will commence on 19 December 2022. The Date for Possession of the Site is 28 June 2023, and the Date of Completion of the Works is 5.5 weeks from the Date of Possession of the Site, the completion date is 7 August 2023;
- (d) Note that this Contract requires the provision of a performance Bond and Collateral Warranties.

3. **Background**

- 3.1 Renfrewshire Council seeks to appoint the services of a competent and suitably experienced Company to provide temporary modular buildings at Dargavel Primary School.
- 3.2 Additional capacity is needed at Dargavel Primary School from August 2023 to welcome pupils joining the school in future years. Six additional temporary classrooms require to be added to the school site by 7 August 2023.
- 3.3 A Competitive Award Procedure mini competition was conducted in accordance with the SPA Modular Buildings Framework under workstream 1, Lot 2 (Value band £500k-£3m) and following those procedures an expression of interest was sent out to all six Appointed Companies on the SPA Modular Buildings Framework, from the six, five Appointed Companies expressed an interest.
- 3.4 On 10 November 2022 the mini-competition documentation was issued to all five Appointed Companies who expressed an interest via the Public Contracts Scotland – Tender portal. By the deadline date, 29

November 2022, two Appointed Companies submitted a response, one declined to Offer due to timescales involved and two others failed to respond.

- 3.5 The two tender submissions were each evaluated against the award criteria issued with this mini competition based on a weighting of 60% Quality and 40% Price. The scores relative to the award criteria for each of the Appointed Company Offers are noted below:

		Price (40%)	Quality (60%)	Total (100%)
1	Portakabin Limited	40.00%	48.75%	88.75%
2	Wernick Buildings Limited	38.35%	30.00%	68.35%

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

- 3.7 The form of Contract is SBCC Design and Build Contract for use in Scotland 2011 Edition as amended by the Council's Employers Amendments issued with the mini-competition.

- 3.8 Community Benefits were requested as part of the procurement and Portakabin Limited confirmed that they commit to the following:

Community Benefit Description	No of People / Activity
Work Experience Placement for an individual 16+ years of age (who is not currently in employment, education or training and from an identified priority group)	2
Work Experience Placement for an individual aged 14+ years of age (and currently in full-time education)	4
Industry Skill Transfer to Schools.	2
Financial Support for a Community Project	1

Implications of the Report

1. **Financial** – The costs for this work will be incorporated into the 2023/24 general services capital plan.

2. **HR & Organisational Development** – No TUPE implications as this is a new requirement.
3. **Community/Council Planning** –
 - **Our Renfrewshire is thriving** – maximising economic growth that is inclusive and sustainable
 - **Our Renfrewshire is well** – supporting the wellness and resilience of our citizens and communities
 - **Our Renfrewshire is fair** - addressing the inequalities that limit life chances
 - **Our Renfrewshire is safe** – protecting vulnerable people, and working together to manage the risk of harm
 - **Reshaping our place, our economy, and our future**
 - Delivering required infrastructure
 - **Tackling inequality, ensuring opportunities for all**
 - Celebrating Youth
 - Improving mental health and wellbeing
 - Promoting active lifestyles
 - Driving attainment for all
 - Tackling the poverty related attainment gap
 - **Creating a sustainable Renfrewshire for all to enjoy**
 - Keeping local places clean and attractive
4. **Legal** – The Procurement of this Supply Contract has been conducted, in accordance with the Council's Standing Orders Relating to Contracts 1 January 2022, after following a competitive award procedure under Framework for Design, Supply and Installation of Permanent and Temporary Modular Buildings (reference MB2).
5. **Property/Assets** – This contract is for additional temporary classrooms at Dargavel Primary School to welcome future pupils of the 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** – Portakabin 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 were carried out in accordance with the Public Contracts (Scotland) Regulations 2015 and the Council's Standing Orders Relating to Contracts. The Council was required to enter into a participation agreement to permit access to the Scottish Procurement Alliance Framework, in accordance with Standing Order 29.7 authority to enter into the agreement was obtained from the Head of Policy and Commissioning and the Head of Corporate Governance.
10. **Risk** - Portakabin Limited insurances have been assessed to confirm that they meet the minimum requirements regarding insurance 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 Scottish Government Sustainability was carried out as part of the strategy for this procurement. The impact is considered low risk. To mitigate the risk profile the following is applied to this contract:
 - Portakabin Limited is ISO9001 and ISO4001 accredited
 - Portakabin Limited will comply with the Scottish School Standards which includes, Ventilation and Co2 Monitoring.

List of Background Papers

- (a) None

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