

**To: Finance, Resources and Customer Services Policy Board**

**On: 6 June 2018**

---

**Report by: Joint Report by The Chief Executive and the Director of  
Environment & Communities**

---

**Heading: Contract No. 2 – Pre-Patching in Advance of Surface Dressing  
2018/2019**

---

**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 Contract for Pre-Patching in Advance of Surface Dressing to Mac Asphalt Limited.
  - 1.2 The Contract will be awarded following a mini-competition under Lot 4 – Carriageway Defect Patching of Renfrewshire Council's NEC3 Framework Contract for Maintenance and Improvements of Carriageways and Footways, reference RC/FA/152/17.
- 

**2. Recommendations**

- 2.1 It is recommended that the Finance, Resources and Customer Services Policy Board authorise:
  - 2.1.1 the Head of Corporate Governance to award a Contract for Pre-Patching in Advance of Surface Treatment to Mac Asphalt Limited;
  - 2.1.2 for the contract sum of £245,955.00 excluding VAT; and

2.1.3 the period of 4 months with an intended start date of 16 July 2018 (the actual start date will be confirmed in the Council's Letter of Acceptance);

---

### 3. Background

- 3.1 Environment & Communities is responsible for the management and maintenance of all roads, excluding trunk roads, within the Council's boundaries.
- 3.2 This Contract was tendered as a Mini Competition under Renfrewshire Council's NEC3 Framework Contract for the Maintenance and Improvements of Carriageways and Footways, Lot 4 - Carriageway Defect Patching (Framework Contract) for a below Regulated works contract. The tender documents were made available on 17 April 2018 to all four (4) contractors awarded places on Lot 4 of the Framework Contract through the Public Contracts Scotland – Tender portal.
- 3.2 This Contract is to permanently patch identified existing carriageways as well as undertake any minor drainage works with the adjustment or renewal of any, or all, ironwork as identified with the replacement of kerbs where required as well as the re-instatement of any, or all, road markings.
- 3.3 By the closing date for receipt of tenders, 4pm on 24 April 2018, all four (4) contractors had submitted bids. The bids were evaluated by representatives from the Corporate Procurement Unit and Environment & Communities.
- 3.4 All four (4) contractors completed the ESPD when applying for a place on the Framework Contract.
- 3.5 All four (4) bids were evaluated against a price/quality score of 70 / 30. The quality scores achieved through the Framework Contract evaluation process were carried forward as the quality scores attributable to this procurement exercise. The scores achieved by each tenderer are detailed in the table below:

Supplier	Price Score	Quality Score	Total
Mac Asphalt Limited	70.00	29.55	99.55
Finco Contracts Limited	55.12	29.70	84.82

J H Civil Engineering Limited	55.35	26.50	81.85
MacLay Civil Engineering Limited	47.80	29.80	77.60

- 3.6 Following evaluation of tenders, the tender submitted by Mac Asphalt appeared to be abnormally low in relation to the works to be provided. The Council applies the procedure set out in Section 5, Part 69 of the Public Contracts (Scotland) Regulations 2015 and in accordance with Renfrewshire Council's Standing Orders Relating to Contracts 26.2, the Abnormally Low Bid Procedure was invoked. An explanation of the pricing submitted by Mac Asphalt Limited was requested.
- 3.7 Mac Asphalt Limited provided an explanation and evidence to support their tender submission. This information was reviewed by representatives of Environment and Communities and the Corporate Procurement Unit and found to be satisfactory and their tender and price was accepted.
- 3.8 Community benefits were not asked for within this mini competition but the spend through this contract will be included with the spend through the framework to drive the community benefits offered under the framework. The community benefits offered include;
- Work Experience Placements (16+ years of age);
  - Work Experience Placements (14-16 years of age);
  - School visits; and
  - Non-financial support for a Community Project.

---

## Implications of the Report

1. **Financial**  
The costs under this contract will be met by the Capital – General Services budget.
2. **HR & Organisational Development**  
Not applicable.
3. **Community/Council Planning**  
Reshaping our place, our economy and our future – the Contract proposed will support the delivery of this outcome.

4. **Legal**  
The procurement of this Contract was carried out in accordance with the Framework Contract requirements and the Council's Standing Orders Relating to Contracts.
5. **Property/Assets**  
This Contract will ensure that the Council's roads are maintained to a high 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 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**  
Mac Asphalt Limited's 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 shall ensure that the Council meets its statutory requirements in respect of procurement procedures, efficiency and modern Government.
10. **Risk**  
Mac Asphalt Limited insurances have been assessed and evaluated to confirm that they have met 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 Implications have arisen or are anticipated.

---

**Author: Brian Bradley, Senior Procurement Specialist, Corporate  
Procurement Unit, Tel: 0141 618 5638**

**Endorsed By: Graeme Beattie, Strategic Commercial and Category Manager,  
Corporate Procurement Unit, Tel: 0141 618 4710**