

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

**On:** 5 June 2019

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**Report by:** Joint Report by Chief Executive and Director of Finance and Resources

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**Heading:** Contract Award: Building Management System, Bureau Service and Planned Preventative Maintenance (PPM) (RC-CPU-18-480)

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## 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 NEC3 Term Service Short Contract for Building Management System, Bureau Service and Planned Preventative Maintenance (PPM) (RC-CPU-18-480) to Affiniti Response Limited.
  - 1.2 The recommendation to award a Contract follows a procurement process conducted via an Open Tender procedure under the Public Contracts (Scotland) Regulations 2015 and the Council's Standing Orders relating to Contracts for an above EU Threshold Service contract.
  - 1.3 A Contract Strategy was approved by the Head of Property Services and the Strategic Commercial and Procurement Manager on 11 March 2019.
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## 2. **Recommendations**

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

- (a) the Head of Corporate Governance to award a Term Service Contract for Building Management System, Bureau Service and Planned Preventative Maintenance (PPM) to Affiniti Response Limited;
- (b) the award of the Term Service Contract for up to the maximum value of £1,100,000.00 excluding VAT over the maximum contract duration of five (5) years;
- (c) the contract with a *starting date* of 5 September 2019 with the *service period* being thirty-six (36) months until 4 September 2022 with the Council option to extend for up to a further twelve (12) months on two (2) separate occasions to no later than 4 September 2024. The actual *starting date* will be confirmed in the Council's Letter of Acceptance; and
- (d) note that the provision of Collateral Warranties is included within the contract and may be requested where instructed in a Task Order in favour of any third party detailed in the Task Order.

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### 3. Background

- 3.1 Property Services are responsible for ensuring there are acceptable internal conditions for buildings that are occupied by Council staff, elected members, school children and members of the public. To support this requirement, this contract is for a contractor to manage the Council's Building Management System (BMS), provide a bureau service and planned preventative maintenance of the system. The contract also includes the provision for commissioning BMS installations within any new sites identified by the Council. The Council currently has 70 sites with existing BMS which will be integrated on to a common platform accessed through the Council's Corporate Network.
- 3.2 BMS are computer-based systems used to monitor and control building services such as heating. BMS help building managers understand how buildings are operating and allow them to control and adjust systems to optimise their performance, as well as collating data and allowing ease of control. BMS also help visualise data, automatically generate reports and create alarms and alerts when parameters are exceeded, and failures occur.
- 3.3 The Council previously awarded a contract for the BMS Installation and Bureau Service in January 2016. That contract was terminated in September 2018 and a short term negotiated contract was put in place to allow retendering of the requirement.

- 3.4 A contract notice for this tender was dispatched via the Public Contracts Scotland advertising portal to the Official Journal of the European Union (OJEU) with the notice published on OJEU on 18 March 2019 and the tender documentation available for downloading from the Public Contracts Scotland – Tender platform on this date.
- 3.5 During the tendering period, nineteen (19) companies expressed an interest in the contract. By the closing date set for return of electronic tenders, 12 noon on 24 April 2019, four (4) companies submitted a response, seven (7) declined to respond and eight (8) failed to respond.
- 3.6 All four (4) tender submissions were evaluated against a pre-determined set of criteria in the form of the European Single Procurement Document (ESPD) by representatives from Property Services, the Corporate Procurement Unit, Corporate Risk and Corporate Health and Safety.
- 3.7 All four (4) tender submissions complied with the minimum selection criteria of the ESPD and progressed to the award stage which was based on Award Criteria of 35% Quality and 65% Price.
- 3.8 The scores relative to the award criteria for each of the tender submissions are noted below:

		<b>Quality (35%)</b>	<b>Price (65%)</b>	<b>Total (100%)</b>
<b>1</b>	<b>Affiniti Response Limited</b>	29.00%	65.00%	<b>94.00%</b>
<b>2</b>	<b>TESGL Limited t/a SSE Enterprise Energy Solutions</b>	26.00%	47.62%	<b>73.62%</b>
<b>3</b>	<b>Building Management Solutions Integrators Ltd</b>	23.05%	47.91%	<b>70.96%</b>
<b>4</b>	<b>Saker Controls Ltd</b>	16.80%	39.80%	<b>56.60%</b>

- 3.9 The evaluation of tender submissions received identified that the tender submission by Affiniti Response Limited was the most economically advantageous to the Council.
- 3.10 Community Benefits were sought as part of this contract, Affiniti Response Limited have committed to deliver the following Community Benefits under this contract:

Community Benefit Description	No of People / Activity
Work Experience Placement for an individual 16+ years of age	1
Work Experience Placement for an individual aged 14 to 16 years of age	3
Industry Awareness Events	2
Business advice/support to an SME/Social Enterprise/Voluntary organisation	1
Financial Support for a Community Project	1
Non financial support for a Community Project	1

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## Implications of the Report

1. **Financial** – The cost for this Contract will be met through the Energy Investment Fund budget.
2. **HR & Organisational Development** – No TUPE implications have arisen or are anticipated.
3. **Community/Council Planning** –
  - Creating a sustainable Renfrewshire for all to enjoy – This contract will drive energy efficiency through reducing energy consumption and associated emissions that will help Renfrewshire become a greener place to live, learn and work.
4. **Legal** – The procurement of this contract has been conducted as an above EU Threshold Open Procurement Procedure in accordance with the Council's Standing Orders relating to Contracts and the Public Contracts ( Scotland) Regulations 2015.
5. **Property/Assets** – The contract will resolve the problems experienced with internal temperatures within both the Council and tenanted properties. The contract will ensure that both the BMS and plant are working correctly and delivering acceptable internal conditions to all spaces of the buildings that are occupied.
6. **Information Technology** - ICT resource will be required to provide appropriate wired network connectivity for new BMS devices including commissioning of additional data points where required. In addition, as

part of the implementation, existing BMS devices will need to be migrated to a new specific secure network for such devices. This will require ICT resource, again to assist with network switch and IP address configuration – for all existing BMS devices across the Council estate. A request for resource will be required to be made to the ICT Change Advisory Board (CAB) to ensure appropriate resource can be committed at the required time, and this will be dependent on the scope of the device migrations (i.e. numbers, locations etc).

## 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** – Affiniti Response 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** – Affiniti Response Limited's 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 Position implications have arisen or are anticipated.

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## List of Background Papers

None

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