

To: Finance, Resources and Customer Services Policy Board

On: 15 June 2022

Report by: Chief Executive and the Director of Environment and Infrastructure

Heading: Notification of the award of the Contract for Surface Treatment (RC-CPU-21-434) under delegated authority granted to the Strategic Commercial and Procurement Manager

1. **Summary**

1.1 The purpose of this report is to notify the Finance, Resources and Customer Services Policy Board of the award of a Contract for Surface Treatment, reference RC-CPU-21-434, approved for award under the delegated authority for the Framework Contract for Roads Related Maintenance Works, reference RC-CPU-20-172, granted to the Strategic Commercial and Procurement Manager by the Finance, Resources and Customer Services Policy Board on 2 February 2022.

1.2 The contract was awarded following a mini-competition under Lot 5 – Surface Treatment of Renfrewshire Council's Framework Contract for Roads Related Maintenance Works, reference RC-CPU-20-172.

2. **Recommendations**

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

- 2.1 The detail in section 3 of this report which details the contract for Surface Treatment, reference RC-CPU-21-434, approved for award to Kiely Bros. Limited under delegated authority granted to the Strategic Commercial and Procurement Manager by the Finance, Resources and Customer Services Policy Board on 2 February 2022 for the Framework Contract for Roads Related Maintenance Works, reference RC-CPU-20-172.
- 2.2 The *starting date* was 23 May 2022 and the *completion date* is 26 August 2022. These dates were confirmed in the *Employer's Acceptance*.
- 2.3 The contract sum is £745,121.31 excluding VAT.

3. Background

- 3.1 Environment and Infrastructure is responsible for the management and maintenance of all roads, excluding trunk roads, within the Council's boundaries.
- 3.2 This contract is to apply surface treatment to carriageways.
- 3.3 The recommendation to approve this contract for award was made under delegated authority granted to the Strategic Commercial and Procurement Manager by the Finance, Resources and Customer Services Policy Board on 2 February 2022 for the Framework Contract for Roads Related Maintenance Works, reference RC-CPU-20-172.
- 3.4 This Contract was tendered as a mini competition under Renfrewshire Council's Framework Contract for Roads Related Maintenance Works, Lot 5 – Surface Treatment for a below Regulated Works Contract in accordance with that Framework and the Council's Standing Orders Relating to Contracts. The mini competition documents were made available on Monday, 11 April 2022 to the two (2) *suppliers* awarded a Framework Contract for Lot 5 – Surface Treatment through the Public Contracts Scotland – Tender portal.
- 3.5 The Tenders received were assessed on the basis of the most economically advantageous tender which included an evaluation of both price and quality. The scores achieved by each tenderer are detailed in the table below:

Supplier	Quality 30%	Price 70%	Total %
Kiely Bros. Limited	22.50	70.00	92.50

John McQuillan (Contracts) Limited	22.50	58.21	80.71
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3.6 In accordance with the authority granted by the Finance, Resources and Customers Services Policy Board on 2 February 2022 for the Framework Contract for Roads Related Maintenance Works, reference RC-CPU-20-172, the Strategic Commercial and Category Manager approved the award of a contract to Kiely Bros. Limited for the contract for Surface Treatment, reference RC-CPU-21-434.

3.7 The approved spend under the Contract is £745,121.31 excluding VAT.

3.8 Community Benefits were sought as part of this process and Kiely Bros. Limited have committed to the following Community Benefits:

Community Benefit Description	No of People / Activity
Financial Support for a Community Project	3
Non Financial Support for a Community Project	3

3.9 Financial costs in respect of this contract will be met from the Capital – General Services Budget.

Implications of the Report

1. **Financial**
Financial costs in respect of this contract will be met from the Capital General Services Budget.
2. **HR & Organisational Development**
Not applicable.
3. **Community/Council Planning**
Reshaping our place, our economy and our future – this contract will support the delivery of this outcome.
4. **Legal**
This Contract was tendered as a mini competition under Renfrewshire Council's Framework Contract for Roads Related Maintenance Works, Lot 5 – Surface Treatment for a below Regulated Works Contract in

accordance with the Framework Contract requirements and the Council's Standing Orders Relating to Contracts.

5. **Property/Assets**
The Council's roads infrastructure will be maintained to a high standard.
6. **Information Technology**
No Information Technology implications have been identified 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**
All supplier's health and safety credentials were evaluated by Corporate Health and Safety when tendering for the Framework Contract for Roads Related Maintenance Works, reference RC-CPU-20-172, and met the Council's 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**
All supplier's insurances were assessed and evaluated when tendering for the Framework Contract for Roads Related Maintenance Works, reference RC-CPU-20-172, 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.

13.

Climate Risk

The level of impact associated with works connected with the Framework Contract for Roads Related Maintenance Works, reference RC-CPU-20-172, has been assessed using the Scottish Government Sustainability Test and is considered to be high risk. The supplier awarded this contract will be required to organise their activities in such a way that the impact they have on the environment is minimised.

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List of Background Papers

Contract Authorisation Report "*Framework Contract for Roads Related Maintenance Works, reference RC-CPU-20-172*" agreed at the Finance Resources and Customers Services Policy Board on 2 February 2022