



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

**On: 30<sup>th</sup> March 2022**

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**Report by: The Chief Executive**

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**Heading: Contract Award: Public Realm Works – High Street and Weighhouse Close (RC-CPU-21-234)**

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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 Works Contract for Public Realm Works – High Street and Weighhouse Close (RC-CPU-21-234) to Landscapes and Contracts 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 for a below Regulated Procurement (Works) contract using the Open Tender Procedure.
  - 1.3 A Contract Strategy was approved by the Category Manager – City Deal and Infrastructure and the Project Director – City Deal and Infrastructure on 22 November 2021.
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## **2. Recommendations**

- 2.1 It is recommended that the Finance, Resources and Customer Service Policy Board:

- (a) Authorises the Head of Corporate Governance to award a Contract for the Public Realm Works – High Street and Weighhouse Close (RC-CPU-21-234) to Landscapes and Contracts Limited.
  - (b) Authorise the total of the Prices up to £375,821.33 excluding VAT and an additional 6.4% contingency for any unforeseen works where all 6 basements are included.
  - (c) Note the *starting date* will be confirmed in the Letter of Acceptance but is anticipated to be 18<sup>th</sup> April 2022 and the *completion date* will be 24 weeks from the *starting date*.
  - (d) Note contract award is subject to agreement with each of the six (6) basement owners to allow the Contractor access to undertake the structural alterations. As indicated in the Procurement Documents, the Council reserves the right to remove one, some or all basements from the scope of works prior to contract award.
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### 3. Background

- 3.1 In support of the Paisley Town Centre Heritage Asset Strategy, funding was secured for a second Paisley Townscape Heritage/Conservation Area Regeneration Scheme (TH.CARS2). Grant awards from Historic Environment Scotland and the National Lottery Heritage Fund (formerly Heritage Lottery Fund) were secured.
- 3.2 As part of the TH.CARS2 project, several town centre areas were identified for public realm enhancement with a programme of resurfacing & hard landscaping sympathetic to the existing historic character of the locations contained within the Paisley Town Centre Conservation Area
- 3.3 The total available budget for public realm works, as identified within the approved TH.CARS2 cost plan, is £750,000.  
Funded as follows:

National Lottery Heritage Fund	£309,208
Renfrewshire Council	£261,215
Historic Environment Scotland	£179,577

This total budget includes professional fees (design, survey & project management costs) for both the development and delivery phases. The TH.CARS2 project funding must be fully spent by 31 March 2023 and the approved programme identifies the completion of the public realm works by December 2022.

- 3.4 This procurement exercise is for the appointment of a suitably experienced contractor to undertake the implementation of refurbished hard landscaping on two (2) footpaths, one on High Street and one on the corner with Townhead Terrace and Storie Street. There are existing basements within sections of the

High Street which will require new support beams and support systems to be installed which will allow paving to be extended to meet the building facades.

- 3.5 To initiate this procurement process a Contract Notice was published on the Public Contracts Scotland advertising portal on Thursday 13 January 2022 with the tender documentation available for downloading from the Public Contracts Scotland – Tender portal from this date.
- 3.6 During the live tender period, there were fourteen (14) expressions of interest in the tender. By the closing date set for the return of electronic tender submissions, 4pm on Monday 21 February 2022, two (2) organisations submitted a tender response, five (5) declined to respond and seven (7) did not reply.
- 3.7 In accordance with the Council’s Standing Orders Relating to Contracts (order 11.5), Tenderers were required to complete a Single Procurement Document (SPD(Scotland)) to be submitted with their tender submission. Both tender submissions were evaluated against a pre-determined set of criteria by representatives from the following Council services: City Deal and Infrastructure project team, the Corporate Procurement Unit, Corporate Risk and Corporate Health & Safety.
- 3.8 The two (2) tender submissions received complied with the minimum selection criteria of the SPD(Scotland) were then each evaluated against the Award Criteria weighting of 60% Quality 40% Price. One of the tender submissions was deemed non-compliant as it did not comply with the information and instructions for Tenderers.
- 3.9 The scores relative to the Award Criteria for the remaining tender submission is noted below:

	<b>Quality (70%)</b>	<b>Price (30%)</b>	<b>Total (100%)</b>	
<b>1</b>	<b>Landscapes and Contracts Limited</b>	53.25%	30.00%	<b>83.25%</b>

- 3.10 The evaluation of tender submissions received identified that the submission by Landscapes and Contracts Limited was the most economically advantageous tender.
- 3.11 The form of Contract will be the NEC3 Engineering and Construction Contract Short form, as amended and supplemented by the additional Z clauses.
- 3.12 Community Benefits were requested as part of the procurement process and Landscapes and Contracts Limited confirmed that the following Community Benefits would be made available to the Council for this Contract:

Community Benefit Description	No of People / Activity
Modern Apprenticeship (Groundworks or Administration)	1
Work Experience Placement for an individual 16+ years of age	2
Work Experience Placement for an individual aged 14 to 16 years of age	1
S/NVQ (or equivalent) for <ul style="list-style-type: none"> <li>• New Employee</li> <li>• Existing Employee</li> <li>• Supply Chain Employee</li> </ul>	2

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## Implications of the Report

1. **Financial** – The cost for these works will be met from the existing grant funding from Historic Environment Scotland (HES) and National Lottery Heritage Fund (NLHF) for the Paisley Townscape Heritage/ Conservation Area Regeneration Scheme (TH.CARS2).
2. **HR & Organisational Development** – No TUPE implications.
3. **Community/Council Planning** –
  - Our Renfrewshire is fair - Addressing the inequalities that limit life's chances. Tenderers were assessed within this procurement process in regard to their approach to Fair Work First throughout their organisation and supply chain i.e. payments of the living wage, training and development opportunities.
  - Our Renfrewshire is safe – A central requirement for Property Services is to ensure that Council operated property, facilities and assets are properly maintained in a manner that complies with existing statutory legislation (Statutory Compliance). An improved school environment provides a safer educational experience.
  - Tackling inequality, ensuring opportunities for all – promoting skills and learning for life.
  - Creating a sustainable Renfrewshire for all to enjoy – Landscapes and Contracts Limited has committed to deliver Community Benefits as set out within section 3.12 of this report.
4. **Legal** – The Procurement of this Contract was conducted as a below Regulated Procurement (Works) Open Procurement Procedure in accordance with the Council's Standing Orders Relating to Contracts.
5. **Property/Assets** – The Contract will facilitate improvement of the footpaths at a high-profile location – meeting Paisley High Street on the

main route to the Paisley Museum which is currently undergoing its £42million refurbishment and extension.

In order to undertake the full scope of works, the Council requires agreement from the owners of six (6) basements to permit the Contractor access to undertake structural alterations. Minutes of Agreement are required with each basement owner prior to contract award.

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** – Landscapes and Contracts 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 ensures that the Council meets its statutory requirements in respect of procurement procedures, efficiency, and modern Government.
10. **Risk** – Landscapes and Contracts Limited insurances have been assessed and evaluated to confirm that they meet 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.
13. **Climate Risk** – The level of impact associated with provision of these work has been assessed using the Scottish Government Sustainability Test and is considered low risk.

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## List of Background Papers

(a) None

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**Author:** Rebecca Park, Category Manager – City Deal and Infrastructure,  
[Rebecca.park@renfrewshire.gov.uk](mailto:Rebecca.park@renfrewshire.gov.uk)