

Notice of Special Meeting and Agenda Finance, Resources and Customer Services Policy Board

Date	Time	Venue
Friday, 22 October 2021	12:15	Teams - virtual meeting,

KENNETH GRAHAM
Head of Corporate Governance

Membership

Councillor Tom Begg: Councillor Bill Brown: Provost Lorraine Cameron: Councillor Karen Devine-Kennedy: Councillor Audrey Doig: Councillor Neill Graham: Councillor Jim Harte: Councillor John Hood: Councillor Kenny MacLaren: Councillor Iain Nicolson: Councillor Jim Paterson: Councillor Jim Sharkey: Councillor Andy Steel:

Councillor John Shaw (Convener): Councillor John McNaughtan (Depute Convener):

Webcasting of Meeting

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Apologies

Apologies from members.

Declarations of Interest

Members are asked to declare an interest in any item(s) on the agenda and to provide a brief explanation of the nature of the interest.

- | | | |
|----------|---|----------------|
| 1 | Contract Award: Kirklandneuk Primary School - Extension and Alterations (RC-CPU-20-432) | 5 - 10 |
| | Joint report by the Chief Executive and the Director of Finance and Resources. | |
| 2 | Notification of Correction to Report - Framework Agreement for Insurance for Renfrewshire Council and Associated Bodies and Renfrewshire Valuation Joint Board (RC-CPU-21-034) | 11 - 14 |
| | Joint report by the Chief Executive and Director of Finance and Resources. | |
| 3 | New Nursery Building at Bargarran Community Centre (RC-CPU-21-137) | 15 - 20 |
| | Joint report by the Chief Executive and the Director of Finance and Resources | |
| 4 | Provision of a Community Based Mental Health Service (RC-CPU-21-011) | 21 - 24 |
| | Joint report by the Chief Executive and the Chief Officer Renfrewshire Health and Social Care Partnership. | |
| 5 | Functional Family Therapy | |
| | Item withdrawn | |



To: Finance, Resources and Customer Services Policy Board

On: 22 October 2021

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

Heading: Contract Award: Kirklandneuk Primary School - Extension and Alterations – (RC-CPU-20-432)

1. **Summary**

- 1.1 The purpose of this report is to seek approval of the Finance, Resources and Customer Services Policy Board to award a works contract for Kirklandneuk Primary School – Extension and Alterations to Fleming Buildings 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 Threshold (Works) contract using the Restricted Procedure.
- 1.3 A Contract Strategy was approved by the Technical Unit Programme Manager and the Strategic Commercial and Procurement Manager on Wednesday 28th July 2021.
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2. **Recommendations**

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

- a) authorise the Head of Corporate Governance to award a works Contract for Kirklandneuk Primary School - Extension and Alterations – (RC-CPU-20-432) to Fleming Buildings Limited.
- b) authorise the award of this contract for the Contract Sum of £774,533.26 excluding VAT, with an additional 10% contingency spend;
- c) note the anticipated date of award is Friday 5th November 2021 with an anticipated date of possession Monday 29th November 2021
- d) note that the anticipated completion dates are:
Section 1, new extension – 11th August 2022
Section 2, internal alterations – 7th September 2022 – this date is based on commencing internal works at start of Summer break on 30th June 2022. However, if earlier access to internal areas is permitted to the Contractor, it is expected both sections will be completed simultaneously.
If there are any changes to these planned dates these will be confirmed in the Council's Letter of Acceptance; and
- e) note the award of this Contract is subject to the provision of a Performance Bond and Collateral Warranties as indicated within the tender documentation.

3. **Background**

- 3.1 This procurement is for the appointment of a suitably qualified contractor to construct additional classrooms, external learning area and improved use of space to some existing class bases at Kirklandneuk Primary School.
- 3.2 For the procurement of the Contract, a two-stage Restricted Procedure was undertaken in accordance with the Council's Standing Orders Relating to Contracts. A contract notice was dispatched via Public Contracts Scotland advertising portal on 28th July 2021 with the invitation to participate documents available for download from the Public Contracts Scotland – Tender portal on 28th July 2021.

- 3.3 During the Invitation to Participate (ITP) (stage 1), fourteen (14) organisations expressed an interest. By the tender return for stage 1, 4pm on Tuesday 17th August 2021 eight (8) organisations submitted a Request to Participate (RTP).
- 3.4 All eight (8) RTP submissions were evaluated against a set of pre-determined criteria in the form of the Single Procurement Document (SPD) by representatives from both the Corporate Procurement Unit and Property Services. All eight (8) RTP submissions satisfied the Council's minimum requirements within the SPD selection criteria.
- 3.5 As part of the selection process and to reduce the number of candidates, the candidates had to respond to two (2) quality questions within their RTP submission which provided information about the candidate's technical and professional ability and project team experience with similar projects in context of their application to the Kirklandneuk Primary School - Extension and Alterations – (RC-CPU-20-432).
- 3.6 The responses to those two (2) questions from each of the remaining eight (8) RTP submissions were evaluated by a panel formed of employees from the Council's Property Services. The ITP document anticipated a maximum of five (5) candidates would be taken forward to Invitation to Tender (Stage 2). Five (5) candidates were selected for Invitation to Tender (Stage 2). The selection score for each candidate within the RTP (Stage 1) is noted below:

		Selection (100%)
1	Galliford Try Construction Ltd t/a Morrison Construction Scotland	100.00
2	Clark Contracts Limited	87.50
3	Emtec Group Limited	87.50
4	Fleming Buildings Limited	87.50
5	McKelvey Construction Limited	87.50
6	City Gate Construction (Scotland) Limited	62.50
7	Amey Community Limited	50.00
8	W H Kirkwood Limited	50.00

- 3.7 The Invitation to Tender (Stage 2) documentation was made available to download by the five (5) selected tenderers via the Public Contracts Scotland – Tender portal on Friday 27 August 2021. By the closing

date, 12 noon on Thursday 30 September 2021, four (4) companies had submitted a tender submission. One (1) of those candidates was deemed to be non-compliant as they failed to provide commercial documentation by the tender deadline.

3.8 The three (3) remaining tender submissions were evaluated against the published Award Criteria, based on a weighting of 60% Quality and 40% Price. The scores relative to the Award Criteria for the tenderers are noted below:

		Quality (60%)	Price (40%)	Total (100%)
1	Fleming Buildings Limited	47.75%	40.00%	87.75%
2	Clark Contracts Limited	48.75%	33.32%	82.07%
3	McKelvey Construction Limited	36.00%	30.92%	66.92%

3.9 The evaluation of tender submissions received identified that the tender submission by Fleming Buildings Limited was the most economically advantageous tender submission.

3.10 A capital budget of £1,150,000 has been made available for this Contract, inclusive of contingency cost, professional fees and excluding VAT.

3.11 Community Benefits were requested as part of this procurement process and Fleming Buildings Limited confirmed that the following Community Benefits would be made available to the Council for this Contract:

Community Benefit Description	No of People / Activity
Job for an unemployed individual	1
Work Experience Placement for an individual 16+ years of age	1
S/NVQ (or equivalent) for <ul style="list-style-type: none"> • New Employee • Existing Employee • Supply Chain Employee 	1
Industry Skill Transfer to Schools.	2

Implications of the Report

1. **Financial** – No financial implications have arisen or are anticipated. Financial and Economic Standing have been assessed as part of the tender selection criteria – which Fleming Buildings Limited passed.
2. **HR & Organisational Development** – No HR & Organisational Development implications have arisen or are anticipated.
3. **Community/Council Planning** –
 - Our Renfrewshire is fair - Tenderers were assessed within this procurement process in regard to their approach to ensuring fair working practices throughout their organisation and supply chain i.e. payment of the living wage, training and development opportunities.
 - Our Renfrewshire is safe – A central requirement of 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).
 - Creating a sustainable Renfrewshire for all to enjoy Fleming Buildings Limited have committed to deliver Community Benefits as detailed within section 3.12 of this report.
4. **Legal** - The procurement of this Contract was conducted as a below Regulated (Works) Open Procurement Procedure in accordance with the Council's Standing Orders Relating to Contracts.
5. **Property/Assets** – The project will facilitate the extension and alterations at Kirklandneuk Primary 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** – Fleming Buildings 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 shall ensure that the Council meets its statutory requirements in respect of procurement procedures, efficiency and modern Government.
10. **Risk** – Fleming Buildings Limited insurances have been assessed and evaluated and confirm that they will 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 works has been assessed using the Scottish Government Sustainability Test and is considered to be low risk.

List of Background Papers

- (a) None

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To: Special Finance, Resources and Customer Services Policy Board

On: 22 October 2021

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

Heading: Notification of Correction to Report - Framework Agreement for Insurance for Renfrewshire Council and Associated Bodies, and Renfrewshire Valuation Joint Board

(RC-CPU-21-034)

1. Summary

1.1 The purpose of this report is to notify the Board of a typographical error in the recommended tenderers name in the recently approved Contract Authorisation Report for award of the Framework Agreement for Insurance for Renfrewshire Council and Associated Bodies, and Renfrewshire Valuation Joint Board.

2. Recommendations

2.1 The Board should note:

2.1.1 A typographical error where references to Zurich International PLC should have read Zurich Insurance PLC, however this typographical error was picked up and accordingly has not impacted on the award.

3. Background

- 3.1 The Framework Agreement for Insurance for Renfrewshire Council and Associated Bodies, and Renfrewshire Valuation Joint Board was approved at the Finance, Resources and Customer Services Policy Board on 1st September 2021.
- 3.2 It has been identified that a typographical error was made in the name of Zurich International PLC and should have read Zurich Insurance PLC.

Implications of the Report

1. **Financial** - The financial stability of each recommended tenderer has been assessed as part of the evaluation procedure and met with the Council's minimum requirements for this Framework Agreement and each respective Lot.
2. **HR & Organisational Development** – n/a
3. **Community/Council Planning** – n/a
4. **Legal** - the tendering procedures for the establishment of this Framework Agreement was made in accordance with the Restricted Procedure under the Public Contracts (Scotland) Regulations 2015 and Renfrewshire Council's Standing Orders Relating to Contracts
5. **Property/Assets** – n/a
6. **Information Technology** – n/a
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** – The health and safety submissions have been evaluated by the Council's Health and Safety Section and meet the Council's requirements.

9. **Procurement** – the procurement procedures outlined within this report ensure that the Council meets its statutory requirements in respect of procurement procedures, efficiency and modern Government.
 10. **Risk** – the recommended tenderers have been assessed and evaluated to confirm that they have met the minimum requirements regarding risk.
 11. **Privacy Impact** – potential privacy risk (mainly claims handling data), have been addressed via the procurement procedures and in consultation with the Information Governance Team.
 12. **Cosla Policy Position** – n/a
 13. **Climate Change** – no climate change implications were noted as part of this Framework Agreement.
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List of Background Papers

(1) Framework Agreement for Insurance for Renfrewshire Council and Associated Bodies, and Renfrewshire Valuation Joint Board (RC-CPU-21-034) ITEM 17 - Finance, Resources and Customer Services Policy Board on Wednesday 1st September 2021.

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To: Finance, Resources and Customer Services Policy Board

On: 22nd October 2021

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

Heading: New Nursery Building at Bargarran Community Centre RC-CPU-21-137

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 the New Nursery Building at Bargarran Community Centre (RC-CPU-21-137) to SKW Construction Ltd.

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 Threshold (Works) Contract using the Open Tender Procedure.

1.3 A Contract Strategy was approved by the Technical Unit Programme Manager on behalf of the Head of Property Services, and the Strategic Commercial Category Manager on behalf of the Head of Policy and Commissioning on 3rd August 2021.

2. **Recommendations**

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

- a) authorise the Head of Corporate Governance to award a Contract for the New Nursery Building at Bargarran Community Centre (RC-CPU-21-137), pending evidence of required insurances, to SKW Construction Ltd;
- a) authorise the award of this contract for the Contract Sum of £365,175.00 excluding VAT plus 10% contingency for any unseen works; and
- b) note the anticipated date of award is 5th November 2021, the contract period is 6 months with the Date of Possession anticipated to be 1st March 2022 but shall be confirmed in the Letter of Acceptance.

3. Background

3.1 This procurement is for a suitably experienced contractor to facilitate the provision of a new community nursery building at Bargarran Community Centre to replace the existing building, which is beyond economical repair.

3.2 A contract notice for this procurement process was published via the Public Contracts Scotland advertising portal on day 4th August 2021 with the tender documentation being available to download from the Public Contracts Scotland-Tender platform from this date.

3.3 During the live tendering period, seventeen (17) organisations expressed an interest in the tender. By the closing date set for the return of electronic tender submissions, 12 noon on Wednesday 25th August 2021, one (1) organisation submitted a tender response, eleven (11) organisations declined to respond and five (5) failed to respond.

3.4 The one (1) Tender Submission received complied with the minimum selection criteria of the SPD and progressed to the Award Criteria which was based on a weighting of 30% Quality and 70% Price.

3.5 The scores relative to the award criteria for the Tenderer are noted below:

		Price (70%)	Quality (30%)	Total (100%)
1	SKW Construction Ltd	70%	21%	91%

3.6 Budget information – This project is funded from Capital: Leisure Services; Community Halls Refurbishment, Bargarran - Community Provision for Nursery.

3.7 Community Benefits were requested as part of this procurement process and SKW Construction Ltd confirmed that the following Community Benefits would be made available to the Council for this Contract:

Community Benefit Description	No of People / Activity
Financial Support for a Community Project	2
Non-financial support for a Community Project	1
Industry Awareness Event	1

Implications of the Report

1. **Financial** – The cost for these works will be met by the Capital – General Services budget.
2. **HR & Organisational Development** – No TUPE implications
3. **Community/Council Planning** –
 - *Our Renfrewshire is thriving* – the result of this procurement process will be a community-based nursery, helping to build strong, safe and resilient communities.
 - *Our Renfrewshire is safe* – this new building will provide a safe environment to develop and educate children within a community setting.
4. **Legal** - The procurement of this Contract was conducted as a below Regulated (Works) Open Procurement Procedure in accordance with the Council’s Standing Orders Relating to Contracts.
5. **Property/Assets** - This contract will assist the Council in its legal obligation to ensure that properties under its control are safe to use.
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** – SKW Construction Ltd'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 procedure outlined within this report ensures that the Council meets its statutory requirements in respect of procurement procedures, efficiency and modern government.
10. **Risk** – SKW Construction Ltd's insurances have been assessed and evaluated to confirm that they have met the minimum requirements regarding insurable risk, with final assessment pending evidence of the purchase of Statutory Third Party motor vehicle cover – unlimited for death and injury and minimum £5m property damage. The Contract award will be made on a conditional basis pending this evidence.
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 works has been assessed using the Scottish Government Sustainability Test and is considered to be low risk. Volumetric modular technology and portable buildings are now firmly established within the construction industry for offering a range of benefits, from greener, healthier environments to maximised sustainability, reduced costs and rapid build times. Compared to a traditionally built project, up to 67% less energy is required to produce a modular build. Offsite construction also has a positive impact on the carbon footprint of the building as it allows for a reduction in the total number of deliveries to sites by 90%. Contractors are required to provide a list of licensed waste carriers that they will utilise to deal with any waste produced in the manufacture of the unit.

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To: Finance, Resources and Customer Services Policy Board

On: 22nd October 2021

**Report by: Joint Report by the Chief Executive and the Chief Officer
Renfrewshire Health and Social Care Partnership**

**Heading: Provision of a Community Based Mental Health Service
(RC-CPU-21-011)**

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 negotiated contract to RAMH for the provision of a Community Based Mental Health Service (RC-CPU-21-011).
- 1.2 The recommendation to award this Contract follows a procurement exercise which was conducted as a Negotiated Procedure without prior publication in accordance with the Public Contracts (Scotland) Regulations 2015, as amended for a Services contract with value above the Regulated Procurement Health and Social Care Services threshold (formerly known as the EU Threshold) and the Council's Standing Orders Relating to Contracts.
- 1.3 A Contract Strategy for this contract was approved on 29th June 2021 by the Strategic Commercial and Procurement Manager and the Head of Mental Health, Learning Disabilities & Addictions, Renfrewshire Health and Social Care Partnership.

2. **Recommendations**

- 2.1 It is recommended that the Finance, Resources and Customer Services Policy Board authorise the Head of Corporate Governance:
- 2.1.1 To award the Contract for the Provision of a Community Based Mental Health Service (RC-CPU-21-011) to RAMH;
 - 2.1.2 To award the Contract for one (1) year from 9th November 2021 to 8th November 2022 with the option to extend for a further one (1) year to 8th November 2023; and
 - 2.1.3 To award the Contract up to a maximum value of £911,170 (£455,585 per annum) excluding VAT for the entire contract period including the optional one year extension period.

3. **Background**

- 3.1 The Community Based Mental Health Service will provide a range of supports including:
- the provision of community based short term intervention and support service to adults aged over 16 in Renfrewshire experiencing a crisis in their mental health;
 - the provision of community based intervention and support service to adults aged over 16 in Renfrewshire who identify as experiencing challenges in their mental health; and
 - the provision of a telephone helpline to support people affected by the COVID 19 pandemic.

The service will be funded by the Renfrewshire Health and Social Care Partnership.

- 3.2 This procurement process was conducted as a Negotiated Procedure without Prior Publication in accordance with the Public Contracts (Scotland) Regulations 2015, as amended for a Services Contract with value above the Regulated Procurement Health and Social Care Services threshold (formerly known as the EU Threshold) and the Council's Standing Orders Relating to Contracts. The Invitation to Tender was issued to RAMH via the Public Contracts Scotland Tender portal on 2nd July 2021 with a tender closing date of 12 noon on 30th July 2021.

- 3.3 The tender document included a Single Procurement Document (SPD) as required by the Council's Standing Orders relating to Contracts and the tender response submitted was evaluated against a pre-determined set of criteria by representatives from the following Council Services: Corporate Procurement Unit, Corporate Risk, Health and Safety and also by representatives of the Renfrewshire Health and Social Care Partnership – all requirements were met. RAMH as part of the tender submission confirmed that they would deliver the service for the price as detailed in the tender.

Implications of the Report

1. **Financial** – Using Dun & Bradstreet, the financial status of RAMH was assessed which confirmed that the organisation satisfied the Council's requirements in relation to financial stability.
2. **HR & Organisational Development** - None
3. **Community/Council Planning –**
 - Our Renfrewshire is thriving – Providing work to individuals from Renfrewshire
 - Our Renfrewshire is well - Ensuring that those who require the service are supported to improve their health and wellbeing
 - Our Renfrewshire is fair - Ensuring that those who require the service are supported to improve their health and wellbeing
 - Reshaping our place, our economy and our future – RAMH is an accredited Living Wage employer
 - Tackling inequality, ensuring opportunities for all – Responsive services providing service users with the support they need
 - Working together to improve outcomes – The services delivered help to improve outcomes of service users within Renfrewshire.
4. **Legal** – This procurement process was conducted in accordance with the Public Contracts (Scotland) Regulations 2015, as amended for a Services Contract with value above the Regulated Procurement Health and Social Care Services (formerly known as the EU Threshold) and the Council's Standing Orders Relating to Contracts.
5. **Property/Assets** – None
6. **Information Technology** – None
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** – The RAMH Health and Safety submission has been evaluated by Corporate Health and Safety and meets the Council's requirements.
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** – RAMH insurances have been assessed and evaluated and meet the minimum requirements regarding insurable risk.
11. **Privacy Impact** – The contract contains Renfrewshire Council's General Conditions of Contract data protection provisions. RAMH will be Data Controllers and, as such, have a legal responsibility to comply with Data Protection legislation when collecting, processing and storing personal data to those receiving the service under this contract.
12. **Cosla Policy Position** – Not Applicable.
13. **Climate Change** – No climate change implications were noted as part of this Contract.

List of Background Papers

none

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