

---

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

**On: 31 January 2018**

---

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

**Heading: Construction of a New Build Extension at St John Ogilvie Primary School, Paisley (RC/OC/386/18)**

---

**1. Summary**

- 1.1 The purpose of this report is to seek the approval of Finance, Resources and Customer Services Policy Board to award a Contract for the Construction of a New Build Extension at St John Ogilvie Primary School, Paisley to Clark Contracts Ltd.
  - 1.2 The recommendation to award the Contract follows a procurement exercise which was conducted in accordance with the Council's Standing Orders relating to Contracts.
  - 1.3 A Contract Strategy was approved by the Head of Property Services and the Corporate Procurement Manager on 11 October 2017.
- 

**2. Recommendations**

- 2.1 It is recommended that the Finance, Resources and Customer Services Policy Board authorise:
  - (a) the Head of Corporate Governance to award the Contract for the Construction of a New Build Extension at St John Ogilvie Primary School, Paisley (RC/OC/386/18) to Clark Contracts Ltd;
  - (b) at the Contract Sum of £467,850.56 excluding VAT;
  - (c) the use of a potential Risk Allowance (if required) of £46,785.06 excluding VAT.;

- (d) the total contract period is twenty two (22) weeks with the date of possession scheduled for 03 March 2018 with the completion date being 06 August 2018. The actual timescales and dates will be confirmed in the Council's letter of Acceptance to Clark Contracts Ltd; and
  - (e) the award of this contract being subject to the provision of a Performance Bond and Collateral Warranties as indicated within the tender documentation.
- 

### **3. Background**

- 3.1 Following the construction of a number of nearby homes, it has been envisaged that St John Ogilvie Primary School may be required to expand to accommodate the projected increase in pupil numbers.

As such the Council commissioned a new classroom extension to be built on to the existing school building which provide young children a modern environment with fit for purpose facilities to mature, learn and develop.

The resulting contract shall be awarded in the form of an SBCC Standard Building Contract with Quantities for use in Scotland (SBC/Q/Scot) 2011 Edition with Employers Amendments.

- 3.2 A contract notice was published on the Public Contract Scotland advertising on Thursday 02 November 2017 with the tender documentation available for downloading from the Public Contract Scotland – Tender platform.

During the tendering period twenty-seven (27) companies expressed an interest in the Contract. By the closing date set (12 noon, Wednesday 06 December 2017) for return of electronic tender submissions, eight (8) companies submitted a tender response.

- 3.3 On review of submissions received, it was identified that one Tenderer failed to provide a significant number of required documents within their tender submission. This resulted in their tender submission being deemed incomplete as per the criteria stated within the tender document and were subsequently excluded from the remainder of the procurement process.
- 3.4 The remaining seven (7) 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 & Safety.
- 3.5 All seven (7) tender submissions confirmed compliance with the minimum criteria of the ESPD and progressed to evaluation of award criteria which was based on an overall weighting of 60% for Quality and 40% for Price.
- 3.6 Following further clarification with one tenderer in regards to their Price Submission, they advised the Council that they were withdrawing their offer resulting in only six bids remaining.

- 3.7 The scores relative to the award criteria of the tenderers are noted below:

		<b>Quality (60%)</b>	<b>Price (40%)</b>	<b>Total (100%)</b>
<b>1</b>	<b>Clark Contracts Ltd</b>	43.28	36.89	<b>80.17</b>
<b>2</b>	<b>JB Bennett (Contracts) Ltd</b>	36.33	39.04	<b>75.37</b>
<b>3</b>	<b>Maxi Construction Ltd</b>	38.45	31.00	<b>69.45</b>
<b>4</b>	<b>Project Management and Construction Ltd</b>	33.20	36.16	<b>69.36</b>
<b>5</b>	<b>Emtec Group Ltd</b>	25.85	40.00	<b>65.85</b>
<b>6</b>	<b>W H Kirkwood Ltd</b>	25.68	36.13	<b>61.80</b>

- 3.8 The evaluation of tender submissions received identified that the submission by Clark Contracts Ltd was the most economically advantageous tender.
- 3.9 A total capital budget of £620,000 was made available to the project for the Construction of a New Build Extension at St John Ogilvie Primary School, Paisley, with approximately £510,861 being allocated to the contracted works required within this procurement process. Based on the awarded Contract Sum of £467,850.56 excluding VAT this represents a non-cashable saving of approximately £43,010.
- 3.10 Community Benefits were requested as part of the procurement process and Clark Contracts Ltd advised within their tender submission that the following Community Benefits would be available:

<b>Community Benefit Description</b>	<b>No of People / Activity</b>
New Entrant - Employability Support	1
Work Experience Placements (16 + years of age)	2
Careers Event	2

---

## **Implications of the Report**

### **1. Financial**

The financial status of Clark Contracts Ltd was assessed on 06 December 2017 by undertaking a Dun and Bradstreet evaluation and it confirmed that the company satisfied the Council's requirements in relation to financial stability.

### **2. HR & Organisational Development**

No TUPE implications have arisen or are anticipated.

3. **Community Planning –**

Clark Contracts Ltd has committed to deliver a number of Community Benefits as detailed within section 3.10 of this report.

4. **Legal**

The procurement of this Contract has been conducted in accordance with the Council's Standing Orders relating to Contracts.

5. **Property/Assets**

By undertaking construction works identified, the existing school building will include a new Two Classroom extension with ancillary works to address access for ambulant disabled persons by re-designing existing access ramps.

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**

Clark Contracts Ltd 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**

Clark Contracts Ltd 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

---

**Author:** Euan Walker, Senior Procurement Specialist, Corporate Procurement Unit, Tel: 0141 618 7791

**Endorsed By:** Laura Gillan, Strategic Commercial and Category Manager, Corporate Procurement Unit, Tel: 0141 618 7464