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

**On:** 31 March 2021

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**Report by:** Joint Report by the Chief Executive and the Head of Economy and Development

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**Heading:** Contract for Paisley to Renfrew Active Travel Route (RC-CPU-20-146) under clause 9.1j) of Standing Orders relating to Contracts

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**1. Summary**

1.1 The purpose of this report is to confirm an award of Contract for Paisley to Renfrew Active Travel Route which will be made under exemption 9.1j) of Council Standing Orders Relating to Contracts due to the grant funding timelines.

1.2 The Council was successful in its grant application to the Scottish Government Clyde Mission Fund 2020/21. The conditions of the funding agreement required that funds be committed by 31 March 2021 in order to be eligible. A short extension thereafter was granted by the Clyde Mission Fund to have funds committed by no later than 14 April 2021. If the conditions of the funding agreement cannot be met, the Council will not receive the grant funding. The associated tender evaluation timescales mean that it is not possible to seek approval from the Finance, Resources and Customer Services Policy Board on 31<sup>st</sup> March 2021 in advance of Contract award. To ensure that the grant can be utilised, the Head of Policy and Commissioning approved the use of standing order 9.1j) of the Council Standing Orders Relating to Contracts.

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## 2. **Recommendations**

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

- 2.1 Note the authority to use clause 9.1j) of the Council's Standing Orders granted by the Head of Policy and Commissioning and the recommendation to award will be made by the Head of Economy and Development;
- 2.2 note that the funding agreement requires the Council to have committed the funds by 14 April 2021;
- 2.3 note that the Contract has an anticipated starting date of 19 April 2021 and completion date of 15 March 2022; and
- 2.4 note that a further report will be submitted to the next Finance, Resources and Customer Services Policy Board on 02 June 2021 to advise of the outcome of the tender process.

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## 3. **Background**

- 3.1 The Contract is for the construction of a shared pedestrian/ cycle track on the abandoned rail solum between Abercorn Street, Paisley and Wright Street, Renfrew, including surfacing, drainage and street lighting. Design and Build on-carriageway, way-finding signs and road markings plus minor civil and toucan traffic signal works associated with an on-road cycle route from Paisley Gilmour Street Rail Station to the south end of the abandoned rail solum and then from the north end of the abandoned rail solum to Renfrew Riverside.
- 3.2 The approved Renfrewshire Cycling Strategy (2016-2025) highlights the proposed route between Renfrew Riverside and Paisley Town Centre as one of the highest priority routes to enhance the existing network. This proposed route will link to existing active travel and cycling networks at River Clyde and to those planned for AMIDS, Glasgow Airport and Inchinnan (via new Wright Street Bridge). The proposed route will have direct access to Westway Business Park, West College's Paisley campus and the Chivas site (the proposed site for a relocated Paisley Grammar campus) and will run through or past many residential and business areas and community facilities including schools and open spaces. It will also offer a safe cycling route between

two of Renfrewshire's largest town centres for the first time in many years.

- 3.3 The Scottish Government Clyde Mission Fund was identified as a potential funding opportunity, and an application was submitted by the Head of Regeneration in November 2020. The submission for the Paisley to Renfrew Active Travel Route was successful and the Council awarded a grant of £935,000.
- 3.4 The funding conditions require the Council to have awarded a Contract by 31 March 2021 (thereafter extended by the Scottish Government to 14 April 2021). It is not possible within the timescales to seek authority from the Finance, Resources and Customer Services Policy Board as (1) the tender evaluation will not be complete in time for formal submission of papers for the board and (2) the requirements of Standing Orders relating to Contracts 27.9, therefore the Head of Policy and Commissioning agreed to the use of exemption 9.1j) of Council Standing Orders Relating to Contracts and the recommendation to award will be made by the Head of Economy and Development in advance of the 14 April 2021 as noted in section 2 above. If the Council fail to adhere to the grant timescales then the grant funding will not be received.
- 3.5 The Council was notified of the funding award on 29 December 2020 and a Contract Strategy was prepared by the Corporate Procurement Unit. This was approved by the Head of Economy and Development, the Head of Operations & Infrastructure and the Strategic Commercial and Procurement Manager on 02 February 2021.
- 3.6 A Contract Notice was published on the Public Contracts Scotland advertising portal on 03 February 2021 with tender documentation available for downloading from the Public Contracts Scotland – Tender platform. The deadline date for return of Tender Submissions was 12 noon, 17 March 2021 and the tender has a requirement of 3 weeks for evaluation and award will be made in accordance with the permission granted per 2.1 above.
- 3.7 The tender was advertised as a below Regulated Threshold Works Contract using the Open Procedure.
- 3.8 A further report will be submitted to the next Finance, Resources and Customer Services Policy Board on 02 June 2021 to advise of the outcome of the tender process.

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## Implications of the Report

1. **Financial** – Grants awarded to the Council will be monitored in accordance with the terms and conditions of grant. The Council will liaise with Scottish Government to comply with Clyde Mission drawdown requirements and financial reporting requirements.
2. **HR & Organisational Development** – No TUPE implications have arisen or are anticipated.
3. **Community/Council Planning** –
  - Our Renfrewshire is thriving – Community-led regeneration projects result in a stimulus to the local economy via contracts won and visitors and user numbers. The Renfrew Riverside to Paisley Town Centre Active Travel Route will support the objectives to develop Renfrewshire's economy, including its town centres as thriving places, supporting local places, businesses and communities.
  - Our Renfrewshire is well - The delivery of actions through the projects have the potential to positively impact on physical, emotional and mental health and wellbeing. Implementing the projects will assist Renfrewshire citizens to have a positive attitude to their community.
  - Our Renfrewshire is safe - Working in partnership with community, public and private sector stakeholders and organisations to achieve positive outcomes.
  - Reshaping our place, our economy and our future - The projects will secure the productive re-use of a former railway line route and provide opportunities for active travel and further investment along its route. Increased usage of our town centres offers potential increases in leisure trips and footfall to traders, assisting the economy of our town centres.
4. **Legal** – The procurement of this Contract has been conducted as a below Regulated Threshold (Works) Open Procurement Procedure in accordance with the Council's Standing Orders Relating to Contracts.
5. **Property/Assets** – The Council are currently negotiating with Railway Paths Ltd to take ownership of part of the route in their ownership. Any land on the route transferred to the Council will become part of its overall maintenance responsibility once the active travel route is

constructed and in place.

6. **Information Technology** – None.

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** – Following evaluation, the recommended Tenderers Health and Safety credentials will be evaluated by the Councils Health and Safety team and deemed suitable before any Contract will be awarded.

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** - Following evaluation, the recommended Tenderers Insurance certificates will be evaluated by the Councils Risk Manager and deemed suitable before any Contract will be awarded.

11. **Privacy Impact** - None

12. **Cosla Policy Position** - No COSLA Policy Position implications have arisen or are anticipated.

13. **Climate Risk** - The level of impact associated with the provision of this work has been assessed using the Scottish Government Sustainability Test. Vehicles and large machinery are routinely used in this type of works. The Tenderer will be required to hold ISO14001 Environmental Management System certification. The implementation of this new active travel route can assist in achieving the modal shift required to reduce the number of journeys made by private car, improving air quality and reducing traffic congestion in Renfrewshire.

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## **List of Background Papers**

- (a) "Scottish Government "Clyde Mission" Fund 2020: Award of Grant Funding" – Leadership Board 24 February 2021
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