

To: Finance, Resources and Customer Services Policy Board

On: 08 November 2017

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

Heading: Contract Authorisation Report: Abbey House Curtain Walling and Window Replacement.

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 contract for the Abbey House Curtain Walling and Window Replacement Contract which was tendered in the form of a SBCC Standard Building Contract without Quantities (SBC/XQ/SCOT) 2011.
 - 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 EU Threshold and non-regulated Open tender procedure. for Works.
 - 1.3 A contract strategy was approved by the Head of Property Services and the Corporate Procurement Manager in September 2018..
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2. Recommendations

- 2.1 It is recommended that the Finance, Resources and Customer Services Policy Board authorise the Head of Corporate Governance to:
 - 2.1.1 Award the contract for the Abbey House Curtain Walling and Window Replacement to Clark Contracts Ltd.

- 2.1.2 Authorise a spend of the Contract Sum of £478,926.87 excluding VAT.
- 2.1.3 Authorise to spend up to an additional 10% of the Contract Sum as risk allowance for any unforeseen works.
- 2.2 The Finance, Resources and Customer Services Policy Board should note that the Date for Possession of the Site is May 2018 and the Date for Completion of the Works is 26 weeks from the Date of Possession of the Site. The exact Date for Possession of Site will be confirmed in the Council's Letter of Acceptance.
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3. Background

- 3.1 A central requirement of the Development and Housing Services is to ensure that Council properties, facilities and assets are of a proper standard, are properly maintained in a manner that complies with statutory legislation and that the appropriate records are maintained. The contract works comprise the design of new curtain walling, the application to building control for building warrant, renewal of curtain walling screens and also windows/doors to the building with some internal decoration works; there is also an element of asbestos removal associated with the curtain walling removal.
- 3.2 A contract notice was published on the Public Contract Scotland advertising portal on 14 September 2017 with the tender documentation available for downloading from the Public Contract Scotland – Tender website. During the tendering period nine (9) companies expressed an interest in the contract. By the closing date set for return of electronic tenders of 12 noon on 4 October 2017, two (2) companies submitted a response.
- 3.3 The two tender submissions were initially evaluated against a set of predefined bid selection criteria in the form of the European Single Procurement Document (ESPD) by representatives from Corporate Procurement Unit, Corporate risk and Corporate Health & Safety.
- 3.4 Both Tenderers confirmed compliance with the minimum criteria of the ESPD and were then evaluated against a set of award criteria which was based on 60% Technical (Quality) and 40% Commercial (Price).
- 3.5 The scores relative to the award criteria of the tenderers are noted below:

Tenderer	Quality (60%)	Price (40%)	Total (100%)
Clark Contracts Ltd	47.35%	40.00%	87.35%
W H Kirkwood Ltd	34.32%	28.85%	60.17%

- 3.6 The evaluation of tender submissions received identified that the submission by Clark Contracts Ltd was the most economically advantageous.

- 3.7 The costs submitted by Clark Contracts Ltd to deliver requirements within this project is within the original budget allocated
- 3.8 Community Benefits were requested as part of the procurement process and Clark Contracts Ltd, confirmed within their tender submission that the following Community Benefits would be available:

Community Benefit Description	No of People / Activity
Trainee Position	1
Work Experience Placements (16+ years)	1
Career Event	1

Implications of the Report

1. Financial

The financial status of Clark Contracts was 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

Community Care, Health & Well-being

Supporting independent living by being able to call upon an appropriately experienced contractor to carry out the works.

Empowering our Communities

Potential to assist communities in charitable and voluntary work through Community Benefits linked to the Framework.

Greener

The contractor holds BS14001 accreditation.

Jobs and the Economy

Work experience for people over 16 years of age offered as part of this contract.

Safer and Stronger

Clark Contracts Ltd required to have appropriate policies and procedures in place to promote equality and diversity.

4. Legal

The procurement of this contract has been conducted in accordance with the Council's Standing Orders relating to Contracts using a below EU Threshold and non-regulated Open tender procedure for Works.

5. **Property Assets**
The works will improve the exterior fabrications of the building, removing asbestos and include a small proportion of interior decoration.
6. **Information Technology**
None
7. **Equality and 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 have had their health and safety submissions evaluated by Corporate Health and Safety and meet the 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 insurances have been assessed and evaluated to confirm they meet the minimum requirements regarding insurable risk.
11. **Privacy Impact**
No Privacy Impact Assessment requirements were identified within this procurement.
12. **Cosla Policy Position**
None

List of background papers

- (a) None

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