

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

**On: 15<sup>th</sup> June 2022**

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

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**Heading: Contract Award: Paisley Grammar School Community Campus (PGSCC) – Principal Contractor (PC) (RC-CPU-21- 247)**

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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 Pre-Construction Services Agreement for Paisley Grammar School Community Campus (PGSCC) – Principal Contractor (RC-CPU-21-247) (the “PCSA ”) to Galliford Try Construction Limited, T/A Morrison Construction Scotland, and to inform the Board of the intention to subsequently award a Design and Build Works Contract for Paisley Grammar School Community Campus (PGSCC) – Principal Contractor (RC-CPU-21-247) to Galliford Try Construction Limited, T/A Morrison Construction Scotland on completion of the Pre-Construction Services (the “D&B Contract”).
- 1.2 The recommendation to award the PCSA (and subsequently the D&B Contract) follows a procurement exercise which was conducted in accordance with the Competitive Procedure with Negotiation (CPN) under the Public Contracts (Scotland) Regulations 2015 and the Council’s Standing Orders Relating to Contracts.
- 1.3 A Contract Strategy addendum was approved by the Strategic Commercial and Procurement Manager and the Head of Property Services on 5<sup>th</sup>

November 2021, this was to amend and update the Contract Strategy approved on 7<sup>th</sup> September 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 Pre-Construction Services Agreement (PCSA) for the Paisley Grammar School Community Campus (PGSCC) – Principal Contractor (RC-CPU-21-247) to Galliford Try Construction Limited, T/A Morrison Construction Scotland.
- (b) Authorise the value of the PCSA at £228,862.21 exclusive of VAT.
- (c) Note the pre-construction services are scheduled for commencement on Monday 11<sup>th</sup> July 2022. The actual date will be confirmed in the Council's Letter of Acceptance to Galliford Try Construction Limited, T/A Morrison Construction Scotland.
- (d) Note that, on completion of the Pre-Construction Services, a further report will be brought to the Finance, Resources and Customer Services Policy Board seeking approval to enter into the Design and Build Contract with Galliford Try Construction Limited, T/A Morrison Construction Scotland.

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## 3. **Background**

- 3.1 This procurement is for the appointment of a Principal Contractor for the Paisley Grammar School Community Campus project ("PGSCC"). The requirement is for a single Principal Contractor for both pre-construction services and the construction itself.

Renfrewshire Council require to replace the existing Paisley Grammar School and wishes to integrate the school with both the local community and enterprise organisations to form a new Paisley Grammar School Community Campus.

This Contract is for the appointment of a Principal Contractor to design and construct a new Passivhaus school in line with the Scottish Futures Trust (SFT) Learning Estate Investment Programme (LEIP) requirements. The School will be constructed on a site which has been

acquired by the Council and which formed part of the former Chivas Brothers bottling plant at 111-113 Renfrew Road, Paisley, PA3 4DY.

- 3.2 The Council identified the construction of a new Paisley Grammar School Community Campus as it's learning estate investment priority in May 2019. The new school and community campus will accommodate a roll of circa 1200 pupils and will benefit from a community café and community space.

During 2020, formal consultation on the proposal which was supported by Education Scotland was undertaken and a decision to progress the proposal was approved by the Council's Education and Children's Services Policy Board in January 2021. Having met all the qualifying criteria identified by ministers, the project has now been included in Stage 2 of the Scottish Government's £1 billion Learning Estate Investment Programme.

The project will require to attain the SFT LEIP metrics which set out specific targets and outcomes which must be achieved to ensure that the project delivers a high quality, sustainable, low carbon and digitally-enabled learning environment. The outcomes include ambitious energy targets and a requirement to support inclusive economic growth through the creation of jobs to deliver the funded facilities.

- 3.3 Early contractor engagement is being sought in this Project and it is anticipated that the Principal Contractor shall be appointed no later than the commencement of RIBA Stage 2 under a bespoke Pre-Construction Services Agreement. The Principal Contractor will work closely with the Multidisciplinary Design Team (MDDT) up to completion of RIBA stage 4. The appointment of the MDDT was approved by this board on 30<sup>th</sup> March 2022. At the point that the project is ready to proceed to the construction phase, a further report will be brought to the Finance, Resources and Customer Services Policy Board seeking approval to enter into the Design and Build Contract with Galliford Try Construction Limited, T/A Morrison Construction Scotland. At this point, the appointed MDDT will be novated to the appointed Principal Contractor. This is anticipated to be at the end of RIBA Stage 4.

- 3.4 The Pre-Construction Services will be in the form of a bespoke Pre-Construction Services Agreement (PCSA). The Pre-Construction Services will be carried out to RIBA stages 2-4 (inclusive). Following satisfactory completion of the Pre Construction Services, a report will be submitted to the Finance, Resources and Customer Services Policy Board seeking approval to proceed with the full Design and Build Contract. If the Board approves the recommendation, the Council will

enter into a Design and Build Contract with Galliford Try Construction Limited, T/A Morrison Construction Scotland at the end of RIBA stage 4. The form of Design and Build Contract will be SBCC Design and Build Contract for use in Scotland 2016 edition accompanied with bespoke Employer's Amendments and Preliminaries.

3.5 The CPN process that was adopted was mapped by the following stages;

- Stage 1 (Invitation to Participate - Selection);
- Stage 2 (Invitation to Tender – Initial ITT);
- Stage 3 (Negotiation);
- Stage 4 (Final Tender - Award).

The Council reserved the right to award at the end of Stage 2 if a fully compliant offer was received, without the requirement to proceed to stages 3 and 4.

3.5 Stage 1 of this process was open to all interested bidders, who met the minimum criteria set out in the Invitation to Participate - Selection. The contract notice was published on the Find a Tender and Public Contracts Scotland websites on 8<sup>th</sup> November 2021 with the Invitation to Participate documents available for download from the Public Contracts Scotland – Tender portal on the same date.

3.7 During Stage 1, fourteen (14) companies expressed an interest in the Contract. By the closing date set for Stage 1 submissions, 10:00 on 09<sup>th</sup> December 2021, six (6) Candidates had submitted a request to participate (RTP).

3.8 The six (6) RTPs were each evaluated against a pre-determined set of criteria in the form of the Single Procurement Document (SPD) Scotland by representatives from the Council's Corporate Procurement Unit, Property Services and a Category Manager from Scotland Excel provided as additional agency support to help resource the project.

All six (6) Candidates satisfied the Council's minimum requirements within the SPD selection criteria.

3.9 As part of the selection process, and to reduce the number of otherwise qualified Candidates, in accordance with the Invitation to Participate, Candidates had to respond to questions relating to previous experience, technical capacity and capability with projects similar in nature, scope and scale to this Contract.

3.10 A panel of representatives from the Council's Property Services team assessed each of the six (6) Candidate responses to the questions and the five (5) highest scoring Candidates were selected to proceed to Stage 2 (Invitation to Tender – Initial ITT). The Contract Notice for this

procurement indicated the Council's intention to reduce the number of Candidates to five (5) who will be selected to Stage 2 initial tender.

3.11 The selection score for each Candidate within Stage 1 – RTP is noted below:

<b>Candidate</b>	<b>Weighting</b>	<b>Technical Rank</b>
Galliford Try Construction Limited, T/A Morrison Construction Scotland	95.50%	1
Keir Construction Limited	94.50%	2
Morgan Sindall Construction & Infrastructure Ltd	87.50%	3
BAM Construction Limited	87.50%	3
Bowmer & Kirkland Ltd	78.50%	5
Sir Robert McAlpine Limited	74.00%	6

3.12 The top 5 ranked Candidates from Stage 1 were invited by invitation issued on 17<sup>th</sup> January 2022 via the Public Contracts Scotland – Tender portal to submit an initial tender for Stage 2. By the closing date and time set for return, 2pm on 15<sup>th</sup> February 2022, four (4) Candidates submitted a response and one (1) failed to respond.

3.13 The tenders received were assessed against the published Award Criteria based on weightings of 20% price and 80% Quality. These were assessed by an evaluation panel consisting of the Council's Property Services team, Corporate Procurement Unit, the Category Manager from Scotland Excel (agency support) and an External Consultant. The Tenderer scores relative to the Award Criteria are detailed in the table below:

<b>Tenderer</b>	<b>Price Score</b>	<b>Quality Score</b>	<b>Total score</b>
Galliford Try Construction Limited, T/A Morrison Construction Scotland	20.00%	78.20%	98.20%
Keir Construction Limited	16.82%	73.60%	90.42%
Morgan Sindall Construction	10.82%	69.00%	79.82%

& Infrastructure Ltd			
BAM Construction Limited	10.79%	62.40%	73.19%

3.14 The Council had an option with the Competitive Procedure with Negotiation to proceed to further stages (Stage 3 and Stage 4), it was agreed by the project team that it was not necessary to take up these options as tenders received were within budget and all tenders met the minimum requirements as set out within the Invitation to Tender Documents. In the Stage 2 Invitation to Tender, the Council had reserved the right not to utilise these stages.

3.15 The Council is satisfied that the Tender Submission from Galliford Try Construction Limited, T/A Morrison Construction Scotland is the most economically advantageous tender submission. To note, the evaluation was set to assess the tenderers for both the pre-construction services and the construction itself, for both elements Galliford Try Construction Limited, T/A Morrison Construction Scotland is the most economically advantageous tender submission.

3.16 Mandatory Community Benefits were included as a condition of this contract which Galliford Try Construction Limited, T/A Morrison Construction Scotland confirmed they would adhere to. The commitment is to deliver 15 new employment opportunities.

In addition to the mandatory Community Benefits requested, and subject to the Council entering into the Design and Build Contract, Galliford Try Construction Limited, T/A Morrison Construction Scotland confirmed in their offer that the following Community Benefits would also be made available to the Council:

<b>Community Benefit Description</b>	<b>No of People / Activity</b>
Job for a young person (age 16-24) from a recognised priority group e.g. from the councils' most deprived datazones	1
Job for an unemployed individual	1
Modern Apprenticeship	2

Graduate	1
Work Experience Placement for an individual 16+ years of age	20
Work Experience Placement for an individual in full time education	10
Business advice/support to a local SME /Social Enterprise/ Voluntary organisation	10
Commitment to ensure that supply chain opportunities are prioritised for Renfrewshire based businesses	4
S/NVQ (or equivalent) for • New Employee • Existing Employee • Supply Chain Employee	15
Industry Awareness Events • Schools • Invest in Renfrewshire – Employability • Further Education	20
Industry Skill Transfer to Schools	8
Financial Support for a Social Enterprise	2
Non financial support for a Social Enterprise	2
Financial Support for other community initiatives which meet the Council's community policies/strategies	15
Non-financial Support for other community initiatives which meet the Council's community development policies/strategies	5

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## 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 Galliford Try Construction Limited, T/A Morrison Construction Scotland met. The project will be part funded by the Scottish Futures Trust (SFT) within the Stage 2 Learning Estate Investment Programme (LEIP).
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 Award Criteria regarding their approach to ensuring fair working practices throughout their organisation and supply chain i.e. payment of the living wage, training and development opportunities etc.
- *Reshaping our place, our economy and our future* - The work from the design to the main works will create many employment opportunities across Renfrewshire. The Community Campus itself will redevelop an empty space and it will provide a base for learning and development for current and future generations.
- *Building strong, safe and resilient communities* - The new Paisley Grammar is not just a school, but a Community Campus a place that provides space for those in Community, a place of safety and security that will help nurture and bring communities together.
- *Tackling inequality, ensuring opportunities for all* - This project and the objectives and work that will be achieved has the power to tackle the inequalities that exist here in Renfrewshire throughout all communities. It has the ability to deliver opportunities for all this could be through Community Benefits and the wider work of the project.
- *Creating a sustainable Renfrewshire for all to enjoy* - In the design, the main works and the final outcome of the new Paisley Grammar School Community Campus it will provide a fresh new learning base for over a thousand young people. It will give back to the communities that it serves a new community space to be utilised and it will create a sustainable energy efficient place for all to enjoy and be part of.
- *Working together to improve outcomes* - The new Paisley Grammar School Community Campus will improve many outcomes throughout its lifetime. This will be through the strengthening of the partnership working between school and community. Providing good quality services and improving new ICT developments and opportunities.

4. **Legal** - The procurement of this contract has been conducted in accordance with the Competitive Procedure with Negotiation under the Public Contracts (Scotland) Regulations 2015 and the Council's Standing Orders Relating to Contracts.

5. **Property/Assets** – The Council identified the construction of a new Paisley Grammar Community Campus as its learning estate investment priority in May 2019 and the purpose of this project is to inform the design of environmentally and economically sustainable buildings. The Council's investment in its learning estate offers the opportunity for a

place-based approach to local outcomes. integrating local services to support communities.

6. **Information Technology** - No IT 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** – Galliford Try Construction Limited, T/A Morrison Construction Scotland health and safety credentials are being evaluated by Corporate Health and Safety who will confirm that they meet 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** – Galliford Try Construction Limited, T/A Morrison Construction Scotland insurances are being 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.
  13. **Climate Risk** - Tackling Climate Change and working towards Net Zero are addressed throughout this contract. The environmental impacts considered are broad and range from the disposal of waste generated from the works being carried out to the type of vehicles and machinery being used on the site. The Contractor will require to consider the emissions from their vehicles when working on site and to switch engines off when not in use to prevent unnecessary emissions. The level of impact associated with provision of these works has been assessed using the Scottish Government Sustainability Test and is considered to be overall low risk.
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## List of Background Papers

(a) None

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