

United Kingdom-Perth: Engineering works and construction works

OJ S 34/2020 18/02/2020

Contract notice

Works

Legal Basis:

Directive 2014/24/EU

Section I: Contracting authority

I.1. Name and addresses

Official name: Perth and Kinross Council
Postal address: 2 High Street
Town: Perth
NUTS code: UKM77 Perth & Kinross and Stirling
Postal code: PH1 5PH
Country: United Kingdom
Contact person: Jillian Ferguson
E-mail: jillianferguson@pkc.gov.uk
Telephone: +44 1738477291

Internet address(es):

Main address: <http://www.pkc.gov.uk>
Address of the buyer profile: https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00372

I.3. Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at: <https://www.publictendersscotland.publiccontractsscotland.gov.uk>
Additional information can be obtained from the abovementioned address
Tenders or requests to participate must be submitted electronically via: <https://www.publictendersscotland.publiccontractsscotland.gov.uk>

I.4. Type of the contracting authority

Regional or local authority

I.5. Main activity

Other activity: Construction (road infrastructure)

Section II: Object

II.1. Scope of the procurement**II.1.1. Title**

Cross Tay Link Road, Perth (Early Contractor Involvement, Detailed Design and Construction)
Reference number: PKC11045

II.1.2. Main CPV code

45220000 Engineering works and construction works

II.1.3. Type of contract

Works

II.1.4. Short description

Contract for the Cross Tay Link Road comprising Stage 1 (early contractor involvement and detailed design) and Stage 2 (detailed design and construction).

II.1.5. Estimated total value

Value excluding VAT: 90 000 000,00 GBP

II.1.6. Information about lots

This contract is divided into lots: no

II.2. Description

II.2.2. Additional CPV code(s)

45220000 Engineering works and construction works

II.2.3. Place of performance

NUTS code: UKM77 Perth & Kinross and Stirling

Main site or place of performance: Perth, Scotland.

II.2.4. Description of the procurement

The contract will follow a staged procurement under a competitive procedure with negotiation.

The procurement process leading to the award of the contract will comprise the following:

- 1) Qualification (ESPD);
- 2) Award (ITT);
- 3) Stage 1 – early contractor involvement.

The procurement information document (PID) attached to the ESPD (within PCS-T) provides detailed information on the qualification processes, i.e. the procedures that will be followed and the criteria that will be applied in deciding which of the bidders submitting a completed ESPD will be selected to receive an ITT.

The relevant parts of the ESPD should be completed in accordance with the PID and the details within this notice.

Detailed information regarding the award process and award criteria for the following stages of the competition will be supplied to those bidders who are invited to tender.

II.2.5. Award criteria

Criteria below

Quality criterion - Name: 80 / Weighting: Quality

Price - Weighting: 20

II.2.6. Estimated value

Value excluding VAT: 90 000 000,00 GBP

II.2.7. Duration of the contract, framework agreement or dynamic purchasing system

Duration in months: 42

This contract is subject to renewal: no

II.2.9. Information about the limits on the number of candidates to be invited

Envisaged minimum number: 4

II.2.10. Information about variants

Variants will be accepted: no

II.2.11. Information about options

Options: no

II.2.13. Information about European Union funds

The procurement is related to a project and/or programme financed by European Union funds:
no

II.2.14. Additional information

The invitation to tender stage will be subject to the scheme gaining planning consent and final funding approval.

Section III: Legal, economic, financial and technical information

III.1. Conditions for participation

III.1.2. Economic and financial standing

List and brief description of selection criteria:

ESPD 4B.1.2 Bidders will be required to have an average yearly turnover of a minimum of 135 000 000 GBP for the last 3 years.

ESPD 4B.4 Bidders will be required to state the values for the following financial ratios for each of the last 3 financial years:

- 1) Current ratio (current assets divided by current liabilities);
- 2) Net Assets (value per the balance sheet, no calculations required).

The acceptable range for each financial ratio is:

- 1) Current ratio — It is expected that the ratio is equal to or greater than 0,90, i.e. the value of current assets is almost equal to current liabilities in each of the 3 years. Reasons for not meeting the required test to be disclosed by bidders together with appropriate supporting evidence to confirm the suitability of the bidder for the contract;
- 2) Net assets — It is expected that the net assets will be positive i.e. a total net assets position for each of the 3 years. Reasons for not meeting the required test to be disclosed together with appropriate supporting evidence to confirm the suitability of the bidder for the contract.

ESPD 4B.6.1 A credit check on the bidder will be undertaken using a third-party credit agency and it is expected that the risk of business failure will be no greater than moderate. In the event that the risk of business failure as assessed by the credit agency is higher than expected, and provided that the bidder has satisfied the current ratio and net worth tests, the bidder will be requested to submit additional information to confirm suitability for the contract. ESPD 4B.6.2 bidders will be required to submit a copy of audited accounts or equivalent for the most recent 3 financial years, along with details of significant changes since the last year end. In the event that the bidder is a subsidiary of a group of companies, a copy of audited accounts for the most recent 3 financial years for the ultimate parent company will be required. Minimum Insurance requirements are detailed below and in the procurement information document.

Minimum level(s) of standards possibly required:

Information regarding economic and financial standing submitted pursuant to ESPD Part IV Section B will be evaluated using the methodology described at Section 6 of the procurement information document.

Detailed below is the minimum insurance requirements that the Council will accept. However, the Council may decide to place the construction all risk insurance and remove this element from the contract or place an owner controlled insurance program policy which may include some of the insurance requirements detailed below.

ESPD 4B.5.1a The bidder confirms they already have or can commit to obtain, prior to the commencement of the contract, levels of insurance cover indicated in the relevant contract notice:

Professional risk indemnity insurance – 10 000 000 GBP for any one claim.

ESPD 4B.5.1b the bidder confirms they already have or can commit to obtain, prior to the commencement of the contract, levels of insurance cover indicated in the relevant contract notice:

Employer's liability insurance — minimum amount of cover of 20 000 000 GBP for each and every incident.

ESPD 4B.5.2 All other types of insurance listed in the contract notice:

Public liability insurance — minimum amount of cover of 25 000 000 GBP for each and every incident.

Contractors all risk insurance – minimum amount of cover of 100 000 000 GBP.

A bidder who fails to demonstrate financial stability and provide the insurances in terms of the information required in the ESPD Part IV Section B — economic and financial standing will be disqualified.

The limitation of liability shall be as per option X18 in the contract data part 1.

III.1.3. Technical and professional ability

List and brief description of selection criteria:

For the 6 questions in ESPD 4C.1 applicants must not 'cross reference' between scored questions. Any information relied upon as a response to one question must be contained and included in the space allowance for the individual question only.

Where a bidder is relying on the same project for more than one scored question, the information must be provided again.

Full details of the questions, scoring and evaluation are provided in the procurement information document. A summary of the questions is below:

Selection criteria 1: major infrastructure construction (weighting 25 %)

Please provide 2 case studies that demonstrate your organisation's experience of constructing an infrastructure scheme of a similar type and scale to the Cross Tay Link Road. These case studies must be for projects completed within the last 15 years.

Selection criteria 2: Major infrastructure design (weighting 25 %)

Please provide 2 case studies that demonstrate your organisation's experience of carrying out the detailed design of a infrastructure design and build scheme of a similar type and scale to the CTRLR. These case studies must be for projects completed within the last 15 years.

Selection criteria 3: early contractor involvement (weighting 15 %)

Please provide details of your experience of successfully using early contractor involvement (ECI) on large-scale infrastructure projects within the last 7 years. Where a bidder cannot provide experience of ECI they are permitted to submit details of experience in a similar type of contract. This submission should clearly show the benefits achieved for the project that would otherwise not have been possible without the use of ECI.

Selection criteria 4: environmental management (weighting 15 %)

Please provide 2 case studies which demonstrate your approach to environmental management on infrastructure projects of a similar scale to the CTRLR. These case studies should be within the last 7 years and ideally cover issues similar to those which may be encountered on the CTRLR; including, but not limited to, sensitive water bodies, sensitive landscapes, protected species, cultural heritage assets and ancient woodland.

Selection criteria 5: use of nec contracts (weighting 10 %)

Please provide details of your experience of successfully using NEC Option C contracts (or other target cost contracts). This should include experience of using this contract within the last 7 years on large-scale infrastructure projects which were of a similar scale and type to the

CTLR. Your submission should show you have thoroughly understood and bought into the ethos of this contract and its intention to ensure a clear and fair apportion of risk, pain and benefit.

Selection criteria 6: commercial management (weighting 10 %).

Please provide evidence of your commitment to positive commercial management of projects. Your submission should cover experience gained on large scale projects similar to the CTLR within the last 7 years. Your submission should show a pro-active and fair approach to all commercial aspects of project management.

ESPD 4C.10 bidders will be required to confirm whether they intend to subcontract and, if so, for what proportion of the contract. Please provide details of the proportion (i.e. percentage) of the contract that you intend to subcontract.

Question ESPD 4C.10 at paragraph 6.13 is asked for information only.

Minimum level(s) of standards possibly required:

Information submitted in response to ESPD Part IV, Section C — technical and professional ability (6 questions at 4C.1) will be scored and weighted using the following methodology:

— the response to each scored question will be assessed and awarded a score between 0 and 9 using the interpretation set out in Table 3 in the PID,

— this score will be multiplied by the weighting percentage available for the relevant question as set out in table 4 of the PID. The result will be divided by 9 to give the score for that question,

— the total will give the bidders total score.

The Council may disqualify any bidder who:

— scores 0 - 4 (poor, unacceptable or unsatisfactory) on any individual part of its response to ESPD Part IV, Section C – technical and professional ability,

— fails to achieve a minimum overall score of 60 marks for its responses to ESPD Part IV, Section C — technical and professional ability.

Part IV: Selection criteria D – quality assurance and environmental management standards.

ESPD 4D.1 The bidder must hold a UKAS (or equivalent) accredited independent third-party certificate of compliance in accordance with BS EN ISO 9001 (or equivalent).

ESPD 4D.1 The bidder must hold a UKAS (or equivalent), accredited independent third-party certificate of compliance in accordance with BS OHSAS 18001 or ISO 45001 (or equivalent) or have, within the last 12 months, successfully met the assessment requirements of a construction-related scheme in registered membership of the Safety Schemes in Procurement (SSIP) forum.

ESPD 4D.2 The bidder must hold a UKAS (or equivalent) accredited independent third- party certificate of compliance with BS EN ISO 14001 (or equivalent) or a valid EMAS (or equivalent) certificate.

A bidder who fails to meet these standards will be disqualified.

Section IV: Procedure

IV.1. Description

IV.1.1. Type of procedure

Competitive procedure with negotiation

IV.1.3. Information about a framework agreement or a dynamic purchasing system

IV.1.5. Information about negotiation

The contracting authority reserves the right to award the contract on the basis of the initial tenders without conducting negotiations

IV.1.8. Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: yes

IV.2. Administrative information

IV.2.1. Previous publication concerning this procedure

Notice number in the OJ S: [2020/S 008-012832](#)

IV.2.2. Time limit for receipt of tenders or requests to participate

Date: 23/03/2020 Local time: 12:00

IV.2.3. Estimated date of dispatch of invitations to tender or to participate to selected candidates

Date: 27/04/2020

IV.2.4. Languages in which tenders or requests to participate may be submitted

English

Section VI: Complementary information

VI.1. Information about recurrence

This is a recurrent procurement: no

VI.2. Information about electronic workflows

Electronic ordering will be used

Electronic invoicing will be accepted

Electronic payment will be used

VI.3. Additional information

The buyer is using PCS-Tender to conduct this PQQ exercise. The Project code is 15706. For more information see: <http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2343>

The contracting authority does not intend to include a sub-contract clause as part of community benefits (as per Section 25 of the Procurement Reform (Scotland) Act 2014) in this contract for the following reason:

Sub-contractors may choose to use PCS to advertise tender opportunities.

Community benefits are included in this requirement. For more information see: <http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2361>

A summary of the expected community benefits has been provided as follows:

The Council's Sustainable Procurement Policy commits the Council to pursuing Community Benefits through its procurement and is committed to maximising community benefits due to the improvements they can bring to the economic, social or environmental wellbeing of the local authority area. To find information about current community requirements please look at the Council's website.

Based on estimated spend of the Contract the Contractor will be required to meet a minimum number of Community Benefits points and a minimum Annual Spend Threshold. These shall be monitored and reported on a monthly basis.

(SC Ref:614176)

VI.4. Procedures for review

VI.4.1. Review body

Official name: Perth Sheriff Court

Postal address: Sheriff Court House, Tay Street

Town: Perth
Postal code: PH2 8NL
Country: United Kingdom

VI.5. Date of dispatch of this notice
14/02/2020