

United Kingdom-Glasgow: Construction work for highways, roads

OJ S 159/2014 21/08/2014

Contract notice

Works

Directive 2004/18/EC

Section I: Contracting authority

I.1. Name and addresses

Official name: Transport Scotland on behalf of The Scottish Ministers

Postal address: Buchanan House, 58 Port Dundas Road

Town: Glasgow

Postal code: G4 0HF

Country: United Kingdom

Contact person: Major Transport Infrastructure Projects

For the attention of: Chris Carroll

E-mail: chris.carroll@transportscotland.gsi.gov.uk

Telephone: +44 1412727908

Fax: +44 1412727272

Internet address(es):General address of the contracting authority: <http://www.transportscotland.gov.uk>Address of the buyer profile: http://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00099Electronic access to information: www.publiccontractsscotland.gov.uk**Additional information can be obtained from:**

the abovementioned address

Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained from:

the abovementioned address

Tenders or requests to participate must be submitted: Official name: Transport Scotland

Postal address: Buchanan House, 58 Port Dundas Road

Town: Glasgow

Postal code: G4 0HF

Country: United Kingdom

For the attention of: Procurement Support Manager

E-mail: tendermailbox@transportscotland.gsi.gov.uk

Telephone: +44 1412727100

Fax: +44 1412727272

Internet address: <http://www.transportscotland.gov.uk>**I.2. Type of the contracting authority**

National or federal agency/office

I.3. Main activity

Other: Transport

I.4. Contract award on behalf of other contracting authorities

The contracting authority is purchasing on behalf of other contracting authorities: no

Section II: Object of the contract

II.1. Description

II.1.1. Title attributed to the contract by the contracting authority

A9 Dualling: Kincaig to Dalraddy.

II.1.2. Type of contract and place of performance or delivery

Works

Design and execution

Main site or place of performance: Approximately 11 km south west of Aviemore in the Badenoch & Strathspey District.

NUTS code UKM62 Inverness & Nairn and Moray, Badenoch & Strathspey

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

The notice involves a public contract

II.1.4. Information about framework agreement

II.1.5. Short description of the contract or purchase(s)

Design, construction, completion and maintenance of 7,5 km Dual Carriageway trunk road widening generally to the west and east of the existing A9 trunk road. Works include, but are not limited to, provision of new carriageway to provide dual carriageway standard, underpasses, earthworks, drainage, including Sustainable Urban Drainage Systems (SUDS), road markings, signing, accommodation works, service diversions, environmental mitigation measures, and on completion of the construction a 5 year period of maintenance for landscaping, replacement of road markings and defect rectification will apply. Ongoing cyclic maintenance shall be carried out by a third party appointed by the Scottish Ministers.

NOTE: To register your interest in this notice and obtain any additional information please visit the Public Contracts Scotland Web Site at http://www.publiccontractsscotland.gov.uk/Search/Search_Switch.aspx?ID=316502

II.1.6. CPV code(s)

45233100 Construction work for highways, roads, 45233120 Road construction works, 45233124 Trunk road construction work, 45233162 Cycle path construction work, 45233224 Dual carriageway construction work, 45221211 Underpass, 45221220 Culverts

II.1.7. Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: yes

II.1.8. Lots

This contract is divided into lots: no

II.1.9. Information about variants

Variants will be accepted: no

II.2. Scope of the procurement

II.2.1. Total quantity or scope

Estimated value excluding VAT:

Range: between 50 000 000 and 55 000 000 GBP

II.2.2. Information about options

Options: no

II.2.3. Information about renewals

This contract is subject to renewal: no

II.3. Duration of the contract or time limit for completion

Duration in months: 18 (from the award of the contract)

Section III: Legal, economic, financial and technical information

III.1. Conditions related to the contract

III.1.1. Deposits and guarantees required

The name and address of a financial referee as part of the Economic Operator's expression of interest. A Parent Company Guarantee may be required as part of the tender. A Retention Bond in lieu of retention will be an option available to Tenderers. Details shall be provided with the Invitation to Participate in Dialogue documents and Invitation to Submit Final Tender Documents in respect of any Parent Company Guarantee requirement and any retention /Retention Bond requirement and the like.

III.1.2. Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them

The A9 Dualling: Kincaig to Dalraddy project is a fixed price Contract with payments by instalments on interim valuations based on part completed milestones. Details of payments and protocols shall be provided within the tender documents.

III.1.3. Legal form to be taken by the group of economic operators to whom the contract is to be awarded

Details will be included in the tender documents. If the successful tenderer is a consortium or group of Economic Operators, the Scottish Ministers shall require each member to be jointly and severally liable pursuant to the Contract. The Scottish Ministers may require the consortium or group of Economic Operators to form a legal entity before entering into the Contract.

III.1.4. Contract performance conditions

The performance of the contract is subject to particular conditions: yes

Description of particular conditions: Further details will be provided in the tender documents.

III.2. Conditions for participation

III.2.1. Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers

List and brief description of conditions: Economic Operators will be evaluated in accordance with the Public Contracts (Scotland) Regulations 2012, as amended, on the basis of information provided in response to a Prequalification Questionnaire ('PQQ'), which forms part of the prequalification document (Refer to Section VI.3).

III.2.2. Economic and financial ability

List and brief description of conditions: As III.2.1.

Minimum level(s) of standards possibly required: Economic Operators shall be required to satisfy minimum standards of economic and financial standing. These are described in detail in the Prequalification Document. The financial information received as part of each PQQ Submission shall be evaluated and scored out of 40 against 4 weighted categories; financial structure; operating performance; investment; and financial position. Each category has a

maximum of 10 marks available. A PQQ Submission shall be marked as a Fail and shall not be considered further if the score achieved is less than 50 percent of the available marks in respect of any of the four economic and financial criteria evaluation categories.

III.2.3. Technical and professional ability

List and brief description of conditions:

As III.2.1.

Minimum level(s) of standards possibly required:

Economic Operators shall be required to satisfy minimum standards of technical capacity or professional ability. These are described in detail in the PQQ and can be summarised as:

- a) demonstration of experience of working on projects of similar works, scope, size and/or complexity (the requirements are set out in the PQQ).
- b) demonstration of quality, environmental and health and safety management systems (the requirements are set out in full in the PQQ);
- c) demonstration of competence of working in accordance with the Construction (Design and Management) Regulations 2007 together with the provision of written undertakings required pursuant to the PQQ; and
- d) PQQ Submission shall be marked as a Fail and shall not be considered further if the score achieved is less than 50 percent of the available marks in respect of any question in Section 5.4 of the PQQ.

III.2.4. Information about reserved contracts

III.3. Conditions specific to services contracts

III.3.1. Information about a particular profession

III.3.2. Information about staff responsible for the performance of the contract

Section IV: Procedure

IV.1. Type of procedure

IV.1.1. Type of procedure

competitive dialogue

IV.1.2. Information about the limits on the number of candidates to be invited

Envisaged number of candidates: 4

Objective criteria for choosing the limited number of candidates: The Scottish Ministers intend to invite 4 Economic Operators to tender. These Economic Operators shall be those 4 Economic Operators who have:

- (a) submitted a compliant PQQ Submission;
- (b) gained a PASS in respect of the eligibility and minimum standards of technical or professional ability conducted pursuant to the Prequalification Prospectus;
- (c) gained a PASS in respect of the financial evaluation conducted pursuant to the Prequalification Prospectus; and
- (d) gained a PASS in respect of Section 5.4 of the PQQ; and
- (e) achieved the first, second, third, or fourth highest weighted scores in respect of technical or professional ability calculated in accordance with the Prequalification Prospectus.

If an Economic Operator has not submitted a compliant PQQ Submission as described in (a) above, failed in respect of either (b) or (c) or (d) above, then that Economic Operator shall be excluded from the ranking of scores described in (e) above.

IV.1.3. Information about reduction of the number of solutions or tenders during negotiation or dialogue

IV.2. Award criteria

IV.2.1. Award criteria

The most economically advantageous tender in terms of Criteria below

1. Price. Weighting 90
2. Quality. Weighting 10

IV.2.2. Information about electronic auction

An electronic auction will be used: no

IV.3. Administrative information

IV.3.1. File reference number attributed by the contracting authority

TS/MTRIPS/WKS/2014/05

IV.3.2. Previous publication concerning this procedure

IV.3.3. Conditions for obtaining specifications and additional documents or descriptive document

IV.3.4. Time limit for receipt of tenders or requests to participate

2.10.2014 - 12:00

IV.3.5. Estimated date of dispatch of invitations to tender or to participate to selected candidates

17.10.2014

IV.3.6. Languages in which tenders or requests to participate may be submitted

English.

IV.3.7. Minimum time frame during which the tenderer must maintain the tender

IV.3.8. Conditions for opening of tenders

Section VI: Complementary information

VI.1. Information about recurrence

VI.2. Information about European Union funds

VI.3. Additional information

Any Economic Operator wishing to participate in response to this notice can download the Prequalification Document, which consists of Prequalification Prospectus and Economic Operator's Prequalification Questionnaire, from the Buyer Profile address given within Section I.1. Alternatively, the Prequalification Document can be obtained from Transport Scotland at the address given in Section I.1 of this notice.

PQQ submissions should be delivered to Transport Scotland (address identified in annex A.III) by no later than 12:00 noon GMT on 2.10.2014. The Scottish Ministers shall not evaluate any PQQ submissions received after the specified deadline, unless the delay is caused by a situation out with the control of the Economic Operator, the determination of which shall be at the sole discretion of the Scottish Ministers. Compliance with achieving the specified deadline is the sole responsibility of the Economic Operator (including obtaining evidence of receipt by

Transport Scotland on behalf of the Scottish Ministers).

Economic Operators who alter their composition after making a PQQ Submission will require to be subject to re-evaluation. The Scottish Ministers reserve the right not to award any Contract as a result of the procurement process initiated by this notice and to make whatever changes the Scottish Ministers deem appropriate to the content, process, timing and structure of the procurement process.

Transport Scotland on behalf of the Scottish Ministers shall have no liability for any costs howsoever incurred by those participating in the procurement competition including prequalification.

Economic Operators should be aware that requirements to promote health and safety in the United Kingdom (UK) came into effect on 6.4.2007 in the form of Construction (Design and Management) Regulations 2007. These regulations enact EC Directive 29/57 EEC dated June 1992 in UK domestic legislation.

Economic Operators should be aware that all information submitted to Scottish Ministers may need to be disclosed or published by the Scottish Ministers in compliance with the Freedom of Information (Scotland) Act 2002 and Environmental Information Regulations 2004.

Information given in Section II.2.1 of this notice is preliminary

The date(s) and time(s) referred to in Section IV.3.5 of this notice are provisional.

(SC Ref:316502)

The Contractor shall ensure that all contracts with Subcontractors and Suppliers which the Contractor intends to procure following the Commencement Date, and which the Contractor has not, before the date of this Contract, already planned to award to a particular Subcontractor or Supplier, are advertised through the Public Contracts Scotland procurement portal (www.publiccontractsscotland.gov.uk) and awarded following a fair, open, transparent and competitive process proportionate to the nature and value of the contract.

Under the terms of this contract the successful supplier(s) will be required to deliver Community Benefits in support of the authority's economic and social objectives. Accordingly, contract performance conditions may relate in particular to social and environmental considerations. The Community Benefits included in this contract are:

- (i) a minimum of 2 vocational training site-based places (average per annum) for persons undertaking a vocational construction skills training course leading to the award of a Scottish Vocational Qualification (SVQ) Level 2 or equivalent qualification;
- (ii) a minimum of 2 professional training site-based places (average per annum) for persons undertaking a professional engineering training scheme recognised and accredited by a national professional body (such as the Institution of Civil Engineers) and leading to membership of the professional body at technician or chartered level or equivalent; and
- (iii) The successful economic operator or group of economic operators shall procure that all site-based employment opportunities (including those with sub-contractors) are notified to job centres (including local job centres) at the time they become available.

VI.4. Procedures for review

VI.4.1. Review body

VI.4.2. Review procedure

Precise information on deadline(s) for review procedures: The Scottish Ministers intend to apply a 10 calendar day standstill period at the point information on the award of contract is communicated to tenderers. This period is to allow companies who object to the decision of the award of contract to raise their concerns with the contracting authority before the contract is entered into. If an appeal regarding the award has not been successfully resolved, The

Public Contracts (Scotland) Regulations 2012 provide for aggrieved parties who have been harmed or are at risk of harm by a breach of the rule to take action in the Sherriff Court or Court of Session. Any such action must be brought within 3 months. Where a contract has not been entered into the Court may order the setting aside of the award decision or order the authority to amend any document and may award damages. If the contract has been entered into, in most circumstances the Court may only award damages.

VI.4.3. Service from which information about the review procedure may be obtained

VI.5. Date of dispatch of this notice

20.8.2014