

UK-Glasgow: repair, maintenance and associated services related to roads and other equipment

OJ S 223/2012 20/11/2012

Contract notice

Works

Directive 2004/18/EC

Section I: Contracting authority

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**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 0DX

Country: United Kingdom

Contact person: Trunk Road and Bus Operations

For the attention of: Stephen Breslin

E-mail: [4GProcurement2@transportscotland.gsi.gov.uk](mailto:4GProcurement2@transportscotland.gsi.gov.uk)

Telephone: +44 1412727100

**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=AA00099](http://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00099)

**Additional information can be obtained from:**

Official name: Transport Scotland on behalf of the Scottish Ministers

Postal address: Buchanan House, 58 Port Dundas Road

Town: Glasgow

Postal code: G4 0DX

Country: United Kingdom

Contact person: Trunk Road and Bus Operations

For the attention of: Stephen Breslin

E-mail: [4GProcurement2@transportscotland.gsi.gov.uk](mailto:4GProcurement2@transportscotland.gsi.gov.uk)

Telephone: +44 1412727100

Internet address: <http://www.transportscotland.gov.uk>

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

Official name: Transport Scotland on behalf of the Scottish Ministers

Postal address: Buchanan House, 58 Port Dundas Road

Town: Glasgow

Postal code: G4 0DX

Country: United Kingdom

Contact person: Trunk Road and Bus Operations

For the attention of: Stephen Breslin

E-mail: [4GProcurement2@transportscotland.gsi.gov.uk](mailto:4GProcurement2@transportscotland.gsi.gov.uk)

Telephone: +44 1412727100

Internet address: <http://www.transportscotland.gov.uk>

**Tenders or requests to participate must be submitted:** Official name: Transport Scotland on behalf of the Scottish Ministers

Postal address: Buchanan House, 58 Port Dundas Road

Town: Glasgow  
Postal code: G4 0DX  
Country: United Kingdom  
Contact person: Major Trunk Road & Infrastructure Projects  
For the attention of: Procurement Support Manager  
Telephone: +44 1412727278  
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

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**Section II: Object of the contract**

**II.1. Description**

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

4G term contract for management and maintenance of the Scottish Trunk Road Network - North East Unit

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

Works

Execution

Main site or place of performance: North East Unit comprising M9/A9 (Dunblane – Perth), A92 /A972 (Halbeath - Dundee), M90/A90 (Halbeath – Fraserburgh); A96 (Aberdeen – Inverness), A95 (Granish – Keith. The total route length in the North East Unit is approximately 603 km. Geographic areas, route lengths and carriageway lane lengths within the Unit may be subject to further change during the currency of the award procedures and the 4G Term Contract for the Management and Maintenance of the Scottish Trunk Road Network - North East Unit (the Contract).

NUTS code UKM5 North Eastern Scotland

**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)**

The provision of integrated network management; routine, winter and emergency maintenance; renewal and improvement works and other such works; design and supervision of renewal and improvement works and such other work on the specified trunk roads within the Unit. The Contract will include a maximum threshold value of 350 000 GBP, for categories of ordered work not subject to competitive tender. This threshold may be increased at the sole discretion of the Scottish Ministers during the currency of the Contract.

Further information on the preliminary scope of the works is included within the prequalification document.

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=242577](http://www.publiccontractsscotland.gov.uk/Search/Search_Switch.aspx?ID=242577).

#### **II.1.6. CPV code(s)**

50230000 Repair, maintenance and associated services related to roads and other equipment, 45221111 Road bridge construction work, 45233100 Construction work for highways, roads, 45233124 Trunk road construction work, 45233130 Construction work for highways, 45233139 Highway maintenance work, 45233210 Surface work for highways, 45233223 Carriageway resurfacing works, 71300000 Engineering services, 71320000 Engineering design services, 71322000 Engineering design services for the construction of civil engineering works, 71520000 Construction supervision services, 71540000 Construction management services, 71631450 Bridge-inspection services, 71631480 Road-inspection services, 72224000 Project management consultancy services, 75200000 Provision of services to the community

#### **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 160 000 000 and 215 000 000 GBP

#### **II.2.2. Information about options**

Options: yes

Description of options: Refer to VI.3.

#### **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: 72 (from the award of the contract)

## **Section III: Legal, economic, financial and technical information**

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### **III.1. Conditions related to the contract**

#### **III.1.1. Deposits and guarantees required**

A parent company guarantee will be required as part of the tender. Details shall be provided with the tender documents in respect of any parent company guarantee requirement, bond and undertaking requirement or otherwise.

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

A schedule of rates and prices that will include a combination of monthly lump sums and schedule of rates for other applicable work items, including measured site work and other such work. Capped fee percentages for design, procurement and management (including

supervision) for any discrete package of work above the specified threshold of 350 000 GBP which will be subject to competitive tendering. Capped fee percentages for design of Operating Company schemes over 50 000 GBP. Design for Operating Company schemes below 50 000 GBP will be a monthly lump sum. Professional rates will be applied for feasibility studies and investigations. The Contract will provide discretion for the Scottish Ministers to instruct design at professional rates for complex schemes. The Contract will provide a formula for payment of contract price fluctuations. Further details will be provided in 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**

If the successful participant is a consortium, the Scottish Ministers shall require each consortium member to be jointly and severally liable pursuant to the terms of the Contract. The Scottish Ministers may require the consortium 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 shall 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 VI.3).

### **III.2.2. Economic and financial ability**

List and brief description of conditions: As in 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 will 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 in 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 prequalification document and can be summarised as:

- (a) demonstration of experience of working on specified types of projects over a specified value (the requirements are set out in full in the prequalification document);
- (b) demonstration of the use of quality, environmental and health and safety management systems (the requirements are set out in full in the prequalification document);
- (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 requirements of the prequalification document;

(d) demonstration of business continuity and disaster recovery ability; and

(e) in respect of the questions on demonstration of relevant experience in Section 5.5 of the PQQ, economic operators will be required to score 50 percent or more of the available maximum weighted evaluation score for each question.

#### **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**

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#### **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 participate in the tender process. These 4 economic operators shall be those 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 evaluation conducted pursuant to section 6.5 of the prequalification prospectus;
- (c) gained a PASS in respect of financial evaluation conducted pursuant to section 6.6 of the prequalification prospectus;
- (d) scored 50 percent or more of the available maximum weighted evaluation score for each question in section 5.5 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 document.

If an economic operator has not submitted a compliant PQQ submission as described in (a) above, failed in respect of either (b) or (c) above or has not scored 50 per cent or more of the available maximum weighted score for each question in section 5.5 of the PQQ, as described in (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 Price is not the only award criterion and all criteria are stated only in the procurement documents

##### **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/TRBO/WKS/2012/12

#### **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**

7.1.2013 - 12:00

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

26.2.2013

#### **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**

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#### **VI.1. Information about recurrence**

#### **VI.2. Information about European Union funds**

#### **VI.3. Additional information**

Transport Scotland on behalf of the Scottish Ministers will conduct the proposed procurement process for the contract.

In the event of the Contract award, the Contract will be entered into between the Scottish Ministers and the successful tenderer.

The estimated value range detailed in section II.2.1 represents the estimated Contract value range for the potential maximum duration of the Contract (72 month initial duration plus maximum extension of 24 months).

The Contract duration as advised in section II.3 is for a period of 72 months with options thereafter, at the sole discretion of the Scottish Ministers to extend by a maximum of 24 months.

Any economic operator wishing to participate in response to this notice can download the prequalification document, which consists of prospectus and 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 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 7.1.2012. The Scottish Ministers shall not evaluate any PQQ submissions received past 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 which alter their composition after making a prequalification submission will be the subject of 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 and the competitive dialogue procedure (including the tendering process). 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.

It is the intention that the successful tenderer will in accordance with the Construction (Design and Management) Regulations 2007:

- (a) appoint a suitably competent company or companies or individuals, or appoint suitably competent individuals from within the organisation, as Designers;
- (b) appoint a suitably competent company or companies or individuals, or appoint suitably competent individuals from within the organisation, to discharge the duties of the CDM Co-ordinator on notifiable projects on behalf of the organisation;
- (c) be appointed to the role of Principal Contractor on notifiable projects.

The successful contractor shall also be required to appoint a suitably qualified individual from within the organisation and independent of the core management team, to act as Client's Representative on behalf of Transport Scotland. Economic operators should be aware that all information submitted to the 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 II.2.1 of this notice is preliminary.

The date and time referred to in IV.3.5 of this notice is provisional.

Concurrently with the procurement for this Contract, the Scottish Ministers will be proceeding with the procurement of a separate 4G Term Contract for Management and Maintenance of the Scottish Trunk Road Network - South East Unit. The Contract for the South East Unit is the subject of a separate OJEU Contract Notice.

(SC Ref:242577).

#### **VI.4. Procedures for review**

##### **VI.4.1. Review body**

##### **VI.4.2. Review procedure**

Precise information on deadline(s) for review procedures: An economic operator that suffers, or risks suffering, loss or damage attributable to a breach of duty under the Public Contract (Scotland) Regulations 2012, as amended, may bring proceedings in the Sheriff Court or the Court of Session.

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

#### **VI.5. Date of dispatch of this notice**

16.11.2012