

# Supplementary Agenda



## Tendering Committee

**Date:** Wednesday, 11 October 2023

---

**Time:** 09:15

---

**Venue:** Clyde Room, Clydebank Town Hall, 5 Hall Street, Clydebank

---

**Contact:** Scott Kelly, Committee Officer  
Tel: 01389 737220. Email: [scott.kelly@west-dunbarton.gov.uk](mailto:scott.kelly@west-dunbarton.gov.uk)

Dear Member

### ITEMS TO FOLLOW

I refer to the agenda for the above Meeting of the Tendering Committee which was issued on 28 September 2023 and now enclose for your attention a copy of the minutes relating to Item 3 and the report relating to Item 6, which were not available for issue at that time.

Yours faithfully

**PETER HESSETT**

Chief Executive

Note referred to:-

### **3 MINUTES OF PREVIOUS MEETING**

**11 – 14**

Submit, for approval as a correct record, the Minutes of Meeting of the Tendering Committee held on 20 September 2023.

6/

**6 CONTRACT AUTHORISATION REPORT – FAIFLEY  
CAMPUS PROJECT**

**15 – 20**

Submit report by the Chief Officer – Regulatory and Regeneration seeking approval to conclude the award of the construction contract for the Faifley Campus Project.

**Distribution:**

Councillor John Millar (Chair)  
Councillor James McElhill  
Councillor June McKay (Vice Chair)  
Councillor Karen Murray Conaghan  
Councillor Lawrence O'Neill  
Councillor Chris Pollock  
Councillor Hazel Sorrell  
Councillor Clare Steel

All other Councillors for information

Chief Officer – Regulatory and Regeneration

Date of Issue: 6 October 2023

**TENDERING COMMITTEE**

At a Meeting of the Tendering Committee held in 'The Bridge' Meeting Room, Council Offices, 16 Church Street, Dumbarton on Wednesday, 20 September 2023 at 9.15 a.m.

**Present:** Councillor Karen Murray Conaghan, June McKay, Lawrence O'Neill, Chris Pollock and Hazel Sorrell.

**Attending:** Alan Douglas, Chief Officer – Regulatory and Regeneration; Annabel Travers, Procurement Manager; Laura Adams and Angus Cameron, Business Partners – Strategic Procurement; John Kerr, Housing Development and Homelessness Manager; Jacqueline Carson, Integrated Operations Manager; and Scott Kelly, Committee Officer.

**Apologies:** Apologies for absence were intimated on behalf of Councillors John Millar and Clare Steel.

**Councillor June McKay in the Chair**

**DECLARATIONS OF INTEREST**

It was noted that there were no declarations of interest in any of the items of business on the agenda.

**MINUTES OF PREVIOUS MEETING**

The Minutes of Meeting of the Tendering Committee held on 17 May 2023 were submitted and approved as a correct record.

**OPEN FORUM**

The Committee noted that no open forum questions had been submitted by members of the public.

## **DESIGN DEVELOPMENT AND PROJECT MANAGEMENT SERVICES AT THE ARTIZAN SITE**

A report was submitted by the Chief Officer – Regulatory and Regeneration advising of the award of the contract for Design Development and Project Management Services at the Artizan Site which was approved on 23 June 2023 by the Chief Executive in consultation with the Leader of the Council, the Leader of the Opposition and the Convener of the Tendering Committee.

Having heard Ms Adams, Business Partner – Strategic Procurement, in further explanation of the report and in answer to a Member's question, the Committee agreed:-

- (1) to note the appointment of Design Development and Project Management Services at the Artizan Site to Turner & Townsend Project Management Services Limited; and
- (2) to note: (i) that the award of the contract shall be for a period of four years but shall end on completion of the defects period of subsequent construction projects, which may be before or after the four year term; and (ii) that the value of the contract was £824,659 exclusive of VAT.

## **CONTRACT AUTHORISATION REPORT – DESIGN AND BUILD OF NEW SUPPORTED HOUSING AT MOUNT PLEASANT**

A report was submitted by the Chief Officer – Regulatory and Regeneration seeking approval to conclude the award of the contract for the Design and Build of New Supported Housing at Mount Pleasant, Ashtree Court, Old Kilpatrick.

After discussion and having heard Ms Adams, Business Partner – Strategic Procurement, in further explanation of the report, the Committee agreed:-

- (1) to authorise the Chief Officer – Regulatory and Regeneration to conclude, on behalf of the Council, the award of the contract for the Design and Build of New Supported Housing at Mount Pleasant to CCG (Scotland) Limited; and
- (2) to note: (i) that the contract shall be for a period of 60 weeks with a further 52 week defect period, at a value of £4,606,022 exclusive of VAT; and (ii) that the estimated commencement date was March 2024.

## **CONTRACT AUTHORISATION REPORT – PROVISION OF CALLCONFIRM LIVE SUPPORT**

A report was submitted by the Chief Officer – Regulatory and Regeneration seeking approval to conclude the award of the contract for the Provision of CallConfirm Live Support.

After discussion and having heard Mr Cameron, Business Partner – Strategic Procurement, and relevant officers in further explanation of the report and in answer to Members' questions, the Committee agreed:-

- (1) to authorise the Chief Officer – Regulatory and Regeneration to conclude, on behalf of the West Dunbartonshire Health and Social Care Partnership, the award of the contract for the Provision of CallConfirm Live Support to Access UK Limited; and
- (2) to note: (i) that the contract shall be for a period of two years with the option of a one year extension and at a value of £339,552.48 inclusive of VAT over two years and £509,328.72 inclusive of VAT should the contract be extended; and (ii) that the estimated commencement date was 2 October 2023.

### **CONTRACT AUTHORISATION REPORT – PROVISION OF SMALL PLANT AND HAND OPERATED TOOLS HIRE**

A report was submitted by the Chief Officer – Regulatory and Regeneration seeking approval to conclude the award of the contract for the Provision of Small Plant and Hand Operated Tools Hire.

After discussion and having heard Ms Adams, Business Partner – Strategic Procurement, in further explanation of the report and in answer to a Member's question, the Committee agreed:-

- (1) to authorise the Chief Officer – Regulatory and Regeneration to conclude, on behalf the Council, the award of the contract for the Provision of Small Plant and Hand Operated Tools Hire to Alex Mather Limited; and
- (2) to note: (i) that the contract shall be for a period of two years with the option of two 12-month extensions and at a budget of £170,000 inclusive of VAT over two years and £340,000 inclusive of VAT should the contract be extended for two years; and (ii) that the estimated commencement date was October 2023.

### **CONTRACT AUTHORISATION REPORT – PROVISION OF WELFARE HIRE**

A report was submitted by the Chief Officer – Regulatory and Regeneration seeking approval to conclude the award of the contract for the Provision of Welfare Hire.

After discussion and having heard Ms Adams, Business Partner – Strategic Procurement, and the Procurement Manager in further explanation of the report and in answer to a Member's question, the Committee agreed:-

- (1) to authorise the Chief Officer – Regulatory and Regeneration to conclude, on behalf of the Council, the award of the contract for the Provision of Welfare Hire to Sunbelt Rentals Limited; and

- (2) to note: (i) that the contract shall be for a period of two years with the option of two 12-month extensions and at a budget of £112,000 inclusive of VAT over two years and £224,000 inclusive of VAT should the contract be extended for two years; and (ii) that the estimated commencement date was October 2023.

## **PURCHASE OF HEAVY GOODS VEHICLES AND REFUSE COLLECTION VEHICLES**

A report was submitted by the Chief Officer – Regulatory and Regeneration advising of the award of the contract for the Purchase of Heavy Goods Vehicles and Refuse Collection Vehicles which was approved on 7 August 2023 by the Chief Officer – Roads and Neighbourhood after consulting with the Convenor of the Infrastructure, Regeneration & Economic Development Committee.

After discussion and having heard Ms Adams, Business Partner – Strategic Procurement, and the Chief Officer – Regulatory and Regeneration in further explanation of the report and in answer to Members' questions, the Committee agreed:-

- (1) to note: (i) that the contract shall be for a period of three years including warranty and at a value of £2,263,294.80 inclusive of VAT; and (ii) that the estimated commencement date was 1 September 2023;
- (2) to note that approval had been granted in accordance with Standing Orders 35 (b) (ii)–(iv) due to the urgent need to secure a production slot for delivery in March 2024 (the usual contract authorisation would have added an additional 13 weeks to the programme), secure the offered pricing that would potentially otherwise see an additional financial burden of circa £328,500 and end the ongoing hire charges that the Council was incurring; and
- (3) to note that Standing Order 35(b) states:-
- “Officers will exercise those powers referred to above in accordance with the following scheme: (ii) Delegated powers should generally not be exercised where any decision by an authorised officer would represent a departure from Council policy or procedure or would be contrary to a standing instruction of Council (or Committee), or would itself represent a significant development of policy or procedure. (iii) Such decisions will be referred to Council, or the appropriate Committee, except in the case of urgency, where the officer may, after consultation with the relevant Service Spokesperson or Convener of the appropriate Committee, exercise such delegated powers.”

The meeting closed at 9.38 a.m.

**WEST DUNBARTONSHIRE COUNCIL****Report by Chief Officer – Regulatory & Regeneration****Tendering Committee: 11 October 2023**

---

**Subject: Contract Authorisation Report – Faifley Campus Project****1. Purpose**

- 1.1** The purpose of this report is to seek the approval of the Tendering Committee to conclude the award of the construction contract for the Faifley Campus Project.

**2. Recommendations**

- 2.1** It is recommended that the Tendering Committee:
- a) Authorise the Chief Officer - Regulatory and Regeneration to conclude on behalf of West Dunbartonshire Council (the Council), the award of the Contract for the construction of the new Faifley Campus Project through Hub West Scotland within the total approved budget of £35.614M.
  - b) Note that the construction contract shall be for a period of 121 weeks at a value of £34,041,529. The estimated commencement date of the contract is November 2023 subject to the issue of the contract award notice. It should be noted that the construction contract does not include the Council's Direct Costs.

**3. Background**

- 3.1** The purpose of the tender was to appoint an experienced contractor to deliver the construction contract for the new Faifley Campus.
- 3.2** The budget of £35.614M was approved at the Council meeting on 1 March 2023 and is funded from the General Services Capital.
- 3.3** This procurement exercise has been conducted in accordance with the Council's Standing Orders and Financial Regulations and the Public Procurement Regulations. Following an extensive Option Appraisal process, Hub West Scotland were appointed to deliver the Faifley Campus Project on behalf of West Dunbartonshire Council.

**4. Main Issues****Procurement Options Appraisal**

- 4.1** The Corporate Procurement Unit published an options appraisal market research questionnaire regarding route to the market on 19 October 2020, as

part of a Prior Information Notice (PIN) in the Official Journal of the European Union (OJEU).

- 4.2** The options appraisal market research questionnaire could be completed by any organisation that could undertake an end-to-end process for this requirement. 61 contractors recorded interest in the opportunity, with seven responding to the questionnaire by closing date of 11 November 2020.
- 4.3** Of the seven responses, four responses were received from Framework Agreement providers, with three responses received from contractors recommending various routes to market. In total, six routes to market were evaluated across the seven responses received. Breakdown:

<b>Organisation</b>	<b>Framework Agreement provider or Main Contractor</b>	<b>Route to market</b>
Balfour Beatty	Main Contractor	Crown Commercial Services Framework Agreement
Crown Commercial Services	Framework Agreement Provider	CCS Framework Agreement
hub West Scotland	Framework Agreement Provider	hub West Scotland Framework Agreement
McLaughlin & Harvey Construction	Main Contractor	Scape Framework Agreement
Pagabo	Framework Agreement Provider	Pagabo Framework Agreement
Robertson Construction	Main Contractor	Procurement Hub Framework Agreement
Scottish Procurement Alliance	Framework Agreement Provider	Scottish Procurement Alliance Framework Agreement

- 4.4** The options appraisal market research questionnaire asked questions relevant to this project, on the subjects of: past experiences, the proposed delivery vehicle / Alliance Framework Agreement, project management and managing performance, risks and risk control measures including Covid-19 and European Union (EU) Exit, form of contract, liabilities, fees, supply chains, value engineering, and social benefits.
- 4.5** The options appraisal was evaluated and scored by a focused group of officers from Capital Investment, Education, and Corporate Procurement Unit. Financial Services and Legal Services provided support during the process.



- 4.6** The outcome of the scored route to the market options appraisal identified that the response from hub West Scotland represented the preferred route to market.
- 4.7** Based on the recommendation to adopt hub West Scotland, the form of contract proposed by hub West Scotland is to use the Scottish Government and SFT's sponsored Design and Build Development Agreement (DBDA).
- 4.8** Form of contract is identified as a risk and was part of the further clarifications and risk mitigation actions requested previously by the Learning Estate Project Board before approval of the adoption of hub West Scotland as the preferred route to market for this requirement.
- 4.9** Legal Services and the Capital Investment Team carried out further discussions with hub West Scotland to agree on solutions to mitigate risks. These were presented as part of the wider clarifications to the Learning Estate Project Board prior to granting approval of the adoption of hub West Scotland as the preferred route to market for this requirement.
- 4.10** Legal Services will continually be involved in the process of agreeing individual terms within the form of contract between the Council, hub West Scotland and the appointed Contractor.

#### **Main Contractor Option Appraisal**

- 4.11** Hub West Scotland undertook a mini competition between the six main contractors available to participate. The main contractors were:
- Balfour Beatty
  - BAM Nuttall;
  - Kier Construction;
  - Morgan Sindall;
  - Morrison Construction;
  - Robertson Construction.
- 4.12** Hub West Scotland managed the mini competition process, although the Council was involved at all stages e.g. agreeing final weightings, evaluation, etc. Following the mini competition exercise, Morrison Construction were appointed as the main contractor.
- 4.13** Morrison Construction has committed to paying all staff as a minimum, the real Living Wage and promotes Fair Working Practices across their organisation. Further, Morrison Construction has committed to delivery of the following social benefits as a direct result of delivery of this contract:

<b>Council Engagement Strategy</b>	<b>2022/2023- Pre Construction</b>
<b>Early learning and primary schools</b>	Dino City programme
	STEM Activities
	Donation on mini PPE to help create mini construction sites and nurseries and schools
<b>High schools</b>	STEM Activities
	Advice and guidance on job, college and university applications
	Stem Futures programme
	CV mentoring and interview prep
	Support and guidance in applying for graduate apprenticeship with Morrison Construction
	Pathways to positive destinations
	Meaningful work placement opportunities
<b>Those with barriers to learning and employment opportunities and parents of families most likely to be affected by poverty</b>	
	Pathways to positive destinations
	Information and guidance sessions to support employment opportunities that may become available
	Drop in sessions with Job centre plus
	Support and guidance in applying for graduate apprenticeship with Morrison Construction
<b>Support for local businesses</b>	
	Meet the Buyer events
	Support and guidance in the upskilling of staff

	Quarterly forums to allow businesses to engage with project delivery team, supply chain partners and commercial teams
<b>Support for local community groups</b>	Volunteering days to support initiatives in the local community

The social benefits are discussed at the Benefits Social Value/Community Benefits Group along with Morrison Construction and actions to take these forward.

## **5. People Implications**

- 5.1** There are no known people implications at this stage; however, a full assessment of Facilities Management staff will be carried out prior to the new Campus going operational.

## **6. Financial and Procurement Implications**

- 6.1** Financial costs in respect of this Contract will be met from the approved General Services Capital budget of Educational Services.
- 6.2** This procurement exercise was conducted in accordance with the agreed Contract Strategy produced by the Corporate Procurement Unit in close consultation with Corporate Asset Management and Educational Services officers and the provisions of Contract Standing Orders, the Financial Regulations and Public Procurement Regulations.

## **7. Risk Analysis**

- 7.1** Morrison Construction has no known links to Serious and Organised Crime that would have significant political and reputational ramifications for the Council.
- 7.2** Should the Tendering Committee decide not to proceed as recommended then this will delay the project, will have financial implications and reputational ramifications.
- 7.3** It should be noted that the project received planning permission on 20 September 2023 and was granted the Stage 1 building warrant on 4 October 2023. This is positive progress and limits our risks in reaching financial close as planned.
- 7.4** The Council will publish a Contract Award Notice prior to award of the construction stage contract to Hub West Scotland / Morrison Construction.

## **8. Equalities Impact Assessment (EIA)**

- 8.1** An equalities screening was undertaken for this report to determine if there is an equalities impact. The result is there is no equalities impact.

## **9. Consultation**

- 9.1** Corporate Asset Management, Educational Services, Finance Services, Legal Services, Corporate Procurement, Planning and Roads & Neighbourhood have been consulted on the contents of this report.

## **10. Strategic Assessment**

- 10.1** The Faifley Campus Project will contribute to the delivery of the Council's strategic priorities:

- Our communities are resilient and thriving;
- Our environment promotes a greener future;
- Our economy is strong and flourishing

**Name:** Alan Douglas,

**Designation:** Chief Officer - Regulatory and Regeneration

**Date:** 3 October 2023

---

**Person to Contact:** Craig Jardine, Corporate Asset Manager,  
[craig.jardine@west-dunbarton.gov.uk](mailto:craig.jardine@west-dunbarton.gov.uk),  
Tel: 07507886231

Sarah Walsh, Contract Scoping Officer,  
[sarah.walsh@west-dunbarton.gov.uk](mailto:sarah.walsh@west-dunbarton.gov.uk)

**Appendices:** None

**Background Papers:**

1. Procurement Route Option Appraisal
2. Equality Impact Assessment
3. Learning Estate Improvement Plan – Educational Services Committee, 9 June 2021.
4. Council Budget Report, 1 March 2023.
5. Proposal Paper and launch of statutory consultation for the construction of a new campus in Faifley – Educational Services Committee, 21 September 2021.
6. Response on Statutory Consultation for the construction for a new campus in Faifley – Educational Services Committee, 16 March 2022.

**Wards Affected:** Clydebank Central