

WEST DUNBARTONSHIRE COUNCIL**Report by Chief Officer – Supply, Distribution and Property****Tendering Committee: 12 January 2022**

Subject: Contract Authorisation Report – Smollett Fountain Alexandria Public Realm Improvement Works**1. Purpose**

1.1 The purpose of this report is to seek the approval of the Tendering Committee to authorise the Chief Officer – Regulatory and Regeneration, to conclude the award of the contract for the Smollett Fountain Alexandria Public Realm Improvement Works.

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 of Smollett Fountain Alexandria Public Realm Improvement Works to Luddon Construction Ltd; and
- b) Note that the contract shall be for a period of four months and at a value of £603,145 ex VAT. The estimated commencement date of the contract is 7 February 2022.

3. Background

- 3.1** The purpose of the tender was to identify and appoint a suitably qualified and experienced contractor to provide permanent public realm and pedestrian improvement works around the historic Smollett Fountain on the junction of Main Street and Bank Street.
- 3.2** The Smollett Fountain Restoration Design, which includes improved roads and footpaths adjacent to the fountain, was originally approved as part of the Infrastructure, Regeneration and Economic Development Committee on 21 August 2019. The next phase of the project was then further advised and approved as part of the Infrastructure, Regeneration and Economic Development Committee on 15 September 2021. The budget of £603,145 will be funded from Local Economic Development (£302,145) and Scottish Government Town Centre Fund (£301,000).
- 3.3** This procurement exercise has been conducted in accordance with the Council's Standing Orders, Financial Regulations, and the Public Procurement Regulations. The Contract Strategy was approved on 14 May 2021.
- 3.4** The Contract Strategy identified the preferred procurement route was to use the Council's Road Civils framework agreement (FA). It was identified the Road Civils FA had the specialist civil engineering contractors required to carry

out the Public Realm Works and it offered a compliant route to market and negated the need to carry out a tender process saving resource costs and time. The Roads Civils FA is currently providing consistently lower cost rates than going to the open market.

4. Main Issues

4.1 The Road Civils FA is ranked and consists of two Lots, Lot 1 Small works and Lot 2 Large works with Lot 2 selected for this procurement process. The award criteria is based on a price (70%) / quality (30%) split. There are six contractors on Lot 2 with Luddon Construction Ltd being the first ranked. The call off procedure on the FA requires approaching the first ranked contractor, and then if they decline, the Council will follow the sequential ranked thereafter. The scores relative to Luddon Construction Ltd are as follows:

Rank	Tenderer Name	Quality Score (30%)	Price Score (70%)	Total Score (100%)
1	Luddon Construction Ltd	22.50%	65.28%	87.78%

4.2 It is recommended that the contract be awarded to Luddon Construction Ltd Balmore Road, Glasgow. The contract shall be for a period of four months at a value of £603,145.

4.3 Luddon Construction Ltd pay their staff above the real Living Wage of £9.90 per hour. Luddon Construction Ltd have indicated they would be willing to provide the following social benefits:

- Use of West Dunbartonshire based organisations for sub-contracting opportunities;
- Donation of goods to local food-share scheme;
- Donations of materials to support a local community project; and
- Donation of money to support a local community project.

The benefits will be discussed at the project implementation meeting with Luddon Construction Ltd and actions to take these forward will be agreed.

5. People Implications

5.1 There are no people implications.

6. Financial and Procurement Implications

6.1 Financial costs in respect of this contract will be met from the Local Economic Development budget (£302,145) and the Scottish Government Town Centre (£301,000). The cost of the supply per the tendered outcome of £603,145 is £91,000 higher than the original anticipated cost of the project of (£509,000). The difference of £91,000 identified will be covered from the Local Economic Development budget. The rise in cost is a combination of the impact of Brexit and the delays due to Covid resulting in increased labour and supply costs.

6.2 This procurement exercise was conducted in accordance with the agreed Contract Strategy produced by the Corporate Procurement Unit in close consultation with Regeneration officers and the provisions of Contract Standing Orders, the Financial Regulations and relevant Public Procurement Regulations.

7. Risk Analysis

7.1 Luddon Construction Ltd has no known links to Serious and Organised Crime, which 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 and may have financial implications.

8. Equalities Impact Assessment (EIA)

8.1 An equalities screening was undertaken for this report. The report concluded the work being carried out is likely to have a positive effect in terms of age for older and younger people, with possible intergenerational benefits and disabled access should be improved. A safer and more pleasant environment will be created which all can access and enjoy by all. The proposal has the potential to help boost community pride and ownership and create a more attractive town centre.

9. Strategic Assessment

9.1 This report contributes to the Council's Strategic Priorities and particular towards:

- A Strong local economy and improved employment opportunities;
- Open, accountable and accessible local government; and
- Meaningful community engagement with active empowered and informed citizens who feel safe and engaged

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Date: 21 December 2021

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Appendices: N/A

Background Papers: The Contract Strategy
EIA Screening

Wards Affected: Leven