

WEST DUNBARTONSHIRE COUNCIL**Report by Strategic Director – Transformation & Public Service Reform****Tendering Committee: 02 December 2020**

Subject: Contract Authorisation Report - Appointment of an Employer's Agent for the New Build Housing Programme**1. Purpose**

- 1.1** The purpose of this report is to seek the approval of the Tendering Committee to authorise the Strategic Lead - Regulatory to conclude the award of the contract for the Appointment of an Employer's Agent for the New Build Housing Programme.

2. Recommendations

- 2.1** It is recommended that the Tendering Committee authorise the Strategic Lead - Regulatory to conclude on behalf of West Dunbartonshire Council (the Council):
- a) The award of the contract for Appointment of an Employer's Agent for the New Build Housing Programme at Clydebank East to WSP UK Limited with the value at a percentage fee of the overall design and construction costs of £12.5m; and
 - b) Note that the contract shall be for a period of three years from 14 December 2020, with an option to extend for a further two x 12 months until 13 December 2025.

3. Background

- 3.1** The Council is progressing with the next phase of its ambitious New Build Housing programme and is underway with the design of a circa 100 unit development in Clydebank East. This site is part of a development programme which will assist in meeting the significant demand for this tenure throughout the local authority area.
- 3.2** The contractor, CCG (Scotland) Ltd has already been appointed to carry out the construction project at Clydebank East on a design and build basis. An Employer's Agent is required to act on the Council's behalf to manage the project, providing a range of services including liaising with the construction contractor, to ensure the Council's interests are protected.
- 3.3** The budget for Appointment of an Employer's Agent for the New Build Housing Programme is part of the wider budget which was approved as part of the Housing Revenue Account (HRA) Capital Programme at West Dunbartonshire Council on 5 March 2018.

- 3.4** This procurement exercise has been conducted in accordance with the Council's Standing Orders and Financial Regulations and the *Public Contracts (Scotland) Regulations 2016* for Services. A Contract Strategy was approved on 29 October 2020.

4. Main Issues

- 4.1** The Contract Strategy identified the Scotland Excel (SXL) Framework Agreement (FA) for Engineering and Technical Consultancy as the best route to market for this requirement. A mini competition conducted under this FA was published on the Public Contracts Scotland Tender (PCS-Tender). Four of the 14 providers invited to the mini competition submitted a response by the deadline on 5 November 2020.
- 4.2** Four submissions were evaluated against a set of award criteria which was based on price / quality ratio of 50% / 50%. For quality, the scores awarded to each provider at FA level were brought forward for this mini competition. The scores relative to the award criteria of each tenderer are as follows:

	Weighting	Atkins Ltd	Currie & Brown UK Limited	Gardiner & Theobald LLP	WSP UK Limited
Quality (50%)					
Quality Sub-Total %:	(50%)	40.8%	28%	35.3%	42.5%
Price (50%)					
Price Sub Total %	(50%)	36.2%	50%	36.4%	38.3%
Total Score	100%	77%	78%	71.6%	80.8%

- 4.3** It is recommended that the contract is awarded to WSP UK Limited of London, England, who has provided the most economically advantageous tender. The contract will be serviced from the provider's Glasgow office. The duration of the contract shall be for a period of three years from 14 December 2020, with an option to extend for a further two x 12 months until 13 December 2025. Please note: providers had to state a single price in the form of a fixed percentage fee for the duration of the contract, therefore it was considered to be commercially sensitive thus only the price score has been shown in the table above. The value of the contract is below the value approved by West Dunbartonshire Council.
- 4.4** WSP UK Limited has committed to follow the Fair Working Practices identified within the SXL FA and pays all staff above the Real Living Wage at a minimum of £9.30 per hour, increasing to £9.50 per hour by 9 May 2021. WSP UK

Limited has committed to delivery of a range of social benefits at FA level. Social benefits will be discussed at the implementation meeting 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 are within the agreed budget and will be met from the Housing Revenue Account (HRA) Housing Capital Programme for 2020/2025.

6.2 The price evaluation for this tender was based on a fixed percentage fee, calculated against the overall cost of the New Build Housing project at Clydebanks East which is currently estimated at £12.5m and this amount was used for evaluation. Should the overall size and cost of the project increase/decrease, then the overall estimated cost of the contract will increase/decrease in line with the fixed percentage fee.

6.3 This procurement exercise was conducted in accordance with the agreed Contract Strategy produced by the Corporate Procurement Unit in close consultation with Housing Development & Homelessness officers and the provisions of Contract Standing Orders, the Financial Regulations and relevant procurement legislation.

7. Risk Analysis

7.1 The successful provider has no known links to Serious and Organised Crime which would have significant political and reputational ramifications for the Council.

8. Equalities Impact Assessment (EIA)

8.1 Following an initial screening there are no potential negative impacts identified in terms of equality.

9. Consultation

9.1 Consultation has taken place with Housing Development & Homelessness, Legal Services and Finance Services.

10. Strategic Assessment

10.1 The Appointment of an Employer's Agent for the New Build Housing Programme will contribute to the delivery of the following Council strategic priorities:

- Supported individuals, families and carers living independently and with dignity.

Angela Wilson

Strategic Director - Transformation & Public Service Reform

16 November 2020

Person to Contact:	Andrew Duncan, Interim Senior Procurement Officer, Corporate Procurement Unit, Andrew.Duncan@west-dunbarton.gov.uk
Appendices:	Not Applicable
Background Papers:	Contract Strategy EIA Screening
Wards Affected:	Clydebank Waterfront