

**Request for Delegated Authority Approval  
(Emergency Powers – 2020 COVID-19 Pandemic)**

*Completed form should be emailed to the Chief Executive*

<b>Directorate:</b>	Place				
<b>Service:</b>	Professional Design Services				
<b>Subject:</b>	<b>Reconstruction Works, Crosbie Churchyard, Troon.</b> Capital Ref: G19936.				
<b>Author:</b>	Pauline Bradley				
<b>Date of Request:</b>	04/08/2020				
<b>Background:</b>	<p>The Council requires to appoint a Contractor for Reconstruction Works at Crosbie Churchyard in Troon.</p> <p>In order to comply with the Council's <a href="#">Standing Orders Relating to Contracts</a> and The Public Contracts (Scotland) Regulations 2015, a competitive Tendering exercise was undertaken.</p> <p>The Council publicised its intention to seek offers by issuing a Contract Notice to the Public Contracts Scotland (PCS) advertising portal, on 26th February 2020 with a Tender return date of 12 noon on 20th March 2020.</p> <p>The Contract Notice attracted fourteen (14) expressions of interest from a range of potential Contractors, of which four (4) submitted offers.</p> <p>It is a legal requirement of all regulated procurements, under the Procurement Reform (Scotland) Act 2014, that all Tenders above the relevant Scottish Procurement Threshold are evaluated on price and quality and may not be awarded on the basis of lowest price or lowest cost only.</p> <p>The evaluation criteria and Tender scoring methodology for the contract were determined as part of the Tender development stage and were published in the Council's Invitation to Tender. All submissions were evaluated in accordance with the pre-defined criteria:</p> <table border="0" style="margin-left: 40px;"> <tr> <td><b>Tender Price</b></td> <td><b>70%</b></td> </tr> <tr> <td><b>Tender Quality</b></td> <td><b>30%</b></td> </tr> </table> <p>Taking into account the Tender evaluations that have taken place, it is proposed that Freel &amp; Beattie Traditional Masonry Ltd - Kilmarnock, who scored highest in the Tender evaluation process but were not the lowest priced, are appointed to complete the required works.</p>	<b>Tender Price</b>	<b>70%</b>	<b>Tender Quality</b>	<b>30%</b>
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<b>Approval Sought For:</b>	The award of Capital contract Ref: G19936, where, in terms of clause 18.2.3 of the Council's Standing Orders Relating to Contracts, the Tender evaluated as the Most Economically Advantageous Tender, from Freel & Beattie Traditional Masonry Ltd, is not the lowest priced Tender.																														
<b>Additional Information:</b>	<p>Following agreement between the Evaluation Panel of an overall score for each Tender submission and taking into consideration all qualitative and commercial elements of the responses, a high level Tender scoring summary has been completed as shown below:</p> <table border="1" data-bbox="357 577 1477 1137"> <thead> <tr> <th>Organisation Name</th> <th>Price Tendered</th> <th>Price Score</th> <th>Quality Score</th> <th>Total Tender Score</th> <th>Final Ranking</th> </tr> </thead> <tbody> <tr> <td>Covanburn Contracts Ltd</td> <td>£342,478.65</td> <td>42.64</td> <td>28.13</td> <td>70.76</td> <td>3</td> </tr> <tr> <td>Freel &amp; Beattie Traditional Masonry Ltd</td> <td>£259,129.48</td> <td>56.35</td> <td>23.63</td> <td>79.97</td> <td>1</td> </tr> <tr> <td>John McGeedy Ltd</td> <td>£384,852.22</td> <td>37.94</td> <td>22.13</td> <td>60.07</td> <td>4</td> </tr> <tr> <td>Masonry Solutions Ltd</td> <td>£208,597.27</td> <td>70.00</td> <td>9.75</td> <td>79.75</td> <td>2</td> </tr> </tbody> </table> <p>The Most Economically Advantageous Tender received is not the lowest priced Tender, however, the Council's Evaluation Panel felt that the response received from Masonry Solutions Ltd, the lowest priced Tenderer, was not well written and generally did not provide sufficient detail regarding the proposed methodology for completion of the works required.</p> <p>The Evaluation Panel had reservations regarding the responses received from Masonry Solutions Ltd to Tender questions set on a contract delivery method statement, the Tenderer's capacity to deliver within required timescales, the Tenderer's approach to risk management, the Tenderer's proposed contract team and their approach to Fair Working Practices.</p> <p>The Evaluation Panel felt that the lowest priced Tenderer would not be able to satisfy the requirements of the project.</p>	Organisation Name	Price Tendered	Price Score	Quality Score	Total Tender Score	Final Ranking	Covanburn Contracts Ltd	£342,478.65	42.64	28.13	70.76	3	Freel & Beattie Traditional Masonry Ltd	£259,129.48	56.35	23.63	79.97	1	John McGeedy Ltd	£384,852.22	37.94	22.13	60.07	4	Masonry Solutions Ltd	£208,597.27	70.00	9.75	79.75	2
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<b>Legal Implications:</b>	There are no legal implications arising from this report.																														
<b>Procurement Implications:</b>	<p>The recommendations in this report are consistent with procurement requirements and with the Council's Standing Orders Relating to Contracts.</p> <p>If this request is approved, a formal award of contract will be issued to Freel &amp; Beattie Traditional Masonry Ltd.</p>																														

<b>Financial Implications:</b>	The financial implications relating to this contract have been accounted for and approved through the appropriate Request for Procurement Action (RPA) process and Capital funding for the works (Ref: G19936) was approved as part of the 2019/20 period 12 general services capital outturn report
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***Chief Executive's Office use only:***

<b>Name(s) of Elected Member(s) consulted:</b>	Peter Henderson, Brian McGinley, Martin Dowey, Iain Campbell, Alec Clark
<b>Elected Member Feedback:</b>	
<b>Decision:</b>	Approved