

**PROCUREMENT METHODOLOGY****1. Procurement Route**

- 1.1 The Council's primary procurement route for capital works of this nature is to use Acivico Ltd's Constructing West Midlands 2 (CWM) Capital Works Framework Agreement as approved in the Schools' Capital Programme – School Condition Allocation, Basic Need Allocation 2023-24+ Future Years report to Cabinet dated 16<sup>th</sup> May 2023 either by undertaking a further competition exercise (this being the default route) or a direct award, subject to the complexities and timescales of each project in order to ensure that the Council's statutory duties are met.

**2. CWM Capital Works Framework Agreement**

- 2.1 There are two lots under the framework agreement:
- Lot 1 (Capital Works for projects between £250,000 up to £5m)
  - Lot 2 (Capital Works for project over £5m)
- 2.2 As the estimated value of this project was under £5m, Lot 1 was used for the procurement.
- 2.3 A further competition was used for this contract to demonstrate value for money to the Council.

**3. Procurement Approach**

- 3.1 A two-stage procurement process has been undertaken detailed as follows:
- the first stage is competitive, with the successful tenderer being selected on the basis of their ability and understanding of the project for the works, together with the pricing of those elements of the works which are normally under the control of the main contractor, e.g. preliminaries, overheads & profit, programme period, cost of rates for identifiable sections of work. This is documented in a Pre-Construction Services Agreement (PCSA) that has been approved in accordance with paragraph 2.3 of the Cabinet report.
  - During the second stage, the Council's advisory team develops and completes the design in conjunction with the successful tenderer. The successful tenderer undertakes a compliant procurement process for the various work packages that are reviewed by the Council's technical cost control advisor to ensure that prices are reflective of current market conditions, are within budget and deliver Best Value. Once the overall tender price is confirmed for the Phase 1 works, the Council will enter into the main works contract subject to authorisation as per recommendation 2.4.

#### 4. Further Competition Assessment

4.1 The evaluation criteria used was as follows:

##### Quality Assessment

QUALITY CRITERIA (40% WEIGHTING)	SUB-WEIGHTING
Key Contract Personnel	30%
Programme and Delivery	40%
Works Methodology	30%
<b>TOTAL</b>	<b>100%</b>

##### Price Assessment:

The price assessment accounted for 60% of the overall weighting. Bidders were provided with a forecast net build cost of £950,000 as per the stage 3 cost estimate and were invited to tender their pre-construction costs, supplemental services costs, preliminary costs, design fees and over heads and profit. The tenderer with the lowest total cost overall was given 100% of the score. Other price scores were expressed as a proportion of the highest score.

##### Combined Quality and Price Assessment

The Weighted Quality Score and Price Score were added to produce an overall combined total score. The tenderer with the highest score representing the most economically advantageous submission is recommended for acceptance.

#### 5. Invitation to Tender Stage

5.1 Tender documentation was issued on 22<sup>nd</sup> December 2022 to the following with a return date of 13<sup>th</sup> January 2023:

- Lot 1 - Interclass Plc
- Lot 1 - GF Tomlinson Ltd
- Lot 1 - Seddon Construction Limited
- Lot 1 - Speller Metcalfe Limited

5.2 Questions were raised by tenderers during the tender period and these were addressed by issuing clarifications to all tenderers and requesting these were incorporated into their submission.

5.3 Following requests from the tenderers for an extension to allow more time to consider the clarification answers in their response, the tender return deadline was extended to 27<sup>th</sup> January 2023.

- 5.4 Responses were received from Interclass Plc, Seddon Construction Limited and Speller Metcalfe Limited. GF Tomlinson Ltd declined to tender stating resourcing and workload capacity issues at the time of tendering.

## 6. Evaluation Summary

- 6.1 The evaluation of tenders was carried out by representatives from Acivico DCFM Ltd.

- 6.2 Quality Evaluation (40% Weighting)

Company	Interclass Plc	Seddon	Speller Metcalfe
<b>QUALITY</b>			
Score (out of 100)	80.00	80.00	54.00
Weighted Score (Max 40)	40.00	40.00	27.00
<b>Rank</b>	1	1	2

A threshold for quality for tenderers to achieve was not set for this procurement process. There were no issues arising from the quality assessment evaluation.

- 6.3 Price Assessment (60% Weighting)

Company	Interclass Plc	Seddon	Speller Metcalfe
<b>PRICE</b>			
Weighted Score (Max 60)	54.45	60.00	58.92
<b>Rank</b>	3	1	2

The evaluation of pricing highlighted technical errors with all of the submissions. This was due to ambiguity and inconsistencies with the pricing schedule and clarifications prepared by Acivico DCFM Limited. This resulted in the inability to compare the submissions on a like-for-like basis. To mitigate and enable a fair and transparent evaluation, in conjunction with Corporate Procurement, an amended pricing schedule was drafted and re-issued to the tenderers with coherent instructions for completion. Responses were received from all three framework providers that complied with the instructions. The final prices are in Exempt Appendix 3.

- 6.4 Combined Quality / Price Assessment

Company	Interclass Plc	Seddon	Speller Metcalfe
<b>OVERALL SUMMARY</b>			
Quality	40.00	40.00	27.00
Price	54.45	60.00	55.22

<b>TOTAL</b>	94.45	100.00	82.22
<b>RANK</b>	<b>2</b>	<b>1</b>	<b>3</b>

## 6.5 Recommendation

It is recommended that the contract be awarded to Seddon Construction Limited on the basis of their submission being ranked first after the quality and price evaluation.

## 7. Service Delivery Management

### 6.1 Contract Management

The contract will be managed by Acivico Ltd on behalf of the Council reporting to the Capital Projects Manager, Education Infrastructure.

### 6.2 Performance Management

Formal contract management measures will be included as a requirement of the contract including key performance indicators around service levels.