

The Highland Council

HC/D & I/TS/2019 – Provision of Trades Services Framework Agreement 2019

Responses to Questions and Areas of Clarification – Form 02 - 22/07/2019

Question/Clarification	Date Received	Response
<p>1. Parts 1.72.2 to 1.72.5 (Questions 4C.2 to 4C.4) refer to ‘technical bodies, ‘study and research facilities’, ‘supply chain management/tracking systems’, etc. – these topics do not seem to fit in with the services provided by normal SME building industry trades. Please advise if these questions are relevant to this procurement exercise, and if so, please provide more information on what you are looking for from Trade Contractors.</p>	12/07/2019	<p>Tenderers are being asked to provide details of the technicians or technical bodies shall be used requirement. This section is not a mandatory question. Please note there is no procurement requirement listed at 1.72.1.</p> <p>If the tenderer has something in which they can add here, they are able to do so.</p> <p>Some elements to the requirement involve purchasing materials to be used in the course of a supplier’s duties e.g. using materials to complete a repair etc. The tenderer is also able to add detail about supply chains if they are able to do so.</p>
<p>2. It is our understanding that Highland Council is seeking all-inclusive hourly rates that takes account of travel time, mileage and the tradesperson's time to perform the works which we are satisfied to provide. However, the large weighting on the commercial submission means that we need to get a correct and competitive hourly rate in our tender submissions. I am writing to seek guidance on the completion of the hourly rates.</p> <p>For example, my Company receives a request to undertake a Works Order that takes one hour to complete and also has an hour each way for travel. Therefore, in our accounting records the job takes 3 hours to complete. We would only be able to charge Highland Council for the one hour it took to perform the Works Order.</p> <p>Assuming our standard hourly rate (for all Clients) is £30 per hour, then we would have to submit an hourly rate of £90 per hour in our</p>	13/07/2019	<p>The Documents state that suppliers shall be paid travel time at their “Trade Hourly Rate”. There are two trade hourly rates: Trade hourly rate A – for Works Orders within 30 miles Trade hourly rate B – for Works Orders outwith 30 miles. In both cases the supplier shall be paid their travel time and the trade time spent completing the Works only. In this example, the Council would expect an invoice detailing the Works carried out (including materials used etc), the time taken to complete the Works and the travel time invested. Both the Works time and the travel time shall be paid at Trade rate A or Trade rate B depending on the 30 mile condition. The supplier would therefore be paid for 3 hours.</p> <p>Tenderers must only submit rates requested in the Schedule of Rates.</p>

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<p>commercial submission. However, if a Works Order took 6 hours to perform and had 2 hours for travel, then this would be 8 x £30 or £240 in our accounting system. We can only charge 6 hours to Highland Council, therefore the hourly rate that we would tender for a 6 hour Works Order would be £40.</p> <p>The example above shows the divergence of hourly rates that can happen (ie £40 to £90) on Works Orders with short and long durations. The issue is the amortisation of travel costs and travel time across the hourly rate. We believe that we would not be competitive on Works Orders of a short duration but would be competitive on Works Orders of longer durations.</p> <p>Are Tenderers allowed to provide a range of rates based upon the hourly duration of the Works Order (ie the hours charged to Highland Council) for example 1-2 hours, 3-4 hours, 5-6 hours, 7-8 hours and > 8 hours?</p>		<p>Please refer to the Invitation to Tender, the Schedule of Rates contained at section 4 of the Conditions of Contract Document and the Schedule of Rates contained in the Commercial Response for more information.</p>
<p>3. The Evaluation Criteria for the ESPD mentions “Accreditation of Contractors Health and Safety (CHAS) or Safety Schemes in Procurement (SSIP) SSIP” as a Pass / Fail response, however I cannot find a question in the ESPD relating to this requirement. Please clarify.</p> <p>Response: Tenderers should confirm that they hold Contractors Health and Safety (CHAS) or Safety Schemes in Procurement (SSIP) accreditations by completing ESPD sections 1.8 and 1.9m (Official Lists and Certifications).</p> <p>However, these sections seem to only apply to non-UK businesses and do not ask about CHAS. Please clarify.</p>	<p>18/07/2019</p>	<p>This Section does not directly ask for CHAS because the ESPD is a general document. Not all procurements require CHAS. However we have stated that CHAS or SSIP are required in the Contract notice.</p> <p>The question in the ESPD is regarding Official Lists and certification. The Council are clarifying the certification requirement of CHAS or SSIP stated in the Contract Notice. If question 1.8.1 is answered “yes”, question 1.9.4. is spawned and it asks “Does the registration or certification cover all of the required selection criteria” referring to the selection criteria Contract Notice.</p> <p>If a tenderer is assessed as being suitable for inclusion on the Framework, the Council will ask for proof of certification prior</p>

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			to full award.
4.	1. Would a Principal Contractor (PC) be appointed once all of the relevant lots of 1-15 trades for any particular project were placed or alternatively would there be a mini-tender amongst the PCs for the several trades involved?	19/07/2019	<p>Mini-competitions shall be actioned on the basis outlined at paragraph 21 of the Invitation to Tender (ITT).</p> <p>A planned mini-competition could be actioned using Lot 16 to appoint a Principal Contractor. This would be from the list of successful tenders for that Lot following completion of the tender.</p> <p>If a mini-competition is not appropriate and a requirement consists of several trades, the Council shall have the option to approach the Contractor with the highest estimated associated spend, to be Principal Contractor (if the supplier had ticked “yes” to this option on the pricing schedule for that relevant trade). The Council can also choose to appoint a Principal Contractor through Lot 16 via the method outlined in Paragraph 21.</p>
5.	If no mini-tender, at what point would a PC be appointed to a project?	19/07/2019	This would depend on the nature of the reactive Works requirement, the urgency of the repair and whether a sub-contractor was necessary.
6.	Your response in TQ 01 – item 11 (Planned maintenance up to £2Million) - you state that mini-competitions shall only be run through 1 lot at a time. What happens if you have a project with several trades relating to multiple lots?	19/07/2019	<p>This is an example of where the Council would appoint a Principal Contractor, on the basis outlined in response to question 4, who would be required to subcontract and coordinate the works using suppliers on the framework in the first instance (unless not possible.)</p> <p>The Council can also choose to be Principal Contractor itself and can coordinate trades using the method outlined in paragraph 21.2.</p>
7.	In a mini-tender, would the approved subs have to be used or would the PC be able to use their own subs?	19/07/2019	In all circumstances where a Contractor is appointed as a Principal Contractor, they are required to appoint sub –

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			contractors from the framework in the first instance. If this is not possible, the Principal Contractor shall be expected to appoint his own sub-contractors. Tenderers can include proposed sub-contractors in their tender submission. When the Framework is underway, any new subcontractor opportunities will be advertised through Public Contract Scotland (PCS).
8.	What would happen if any of the approved subs were unable to meet the PC's SHEQ standards?	19/07/2019	All Sub-contractors must meet the minimum requirements as set by the Council. Where Sub-contractors do not meet the requirements of or the Council or their Principal Contractor they should not be appointed.
9.	FAQ – item 11 – does this mean that the PC has to invoice The Highland Council on behalf of the subs for whom it is acting as PC?	19/07/2019	The Principal Contractor is required to invoice the Council for all the work undertaken, in accordance with their submitted schedule of rates with this tender. Where the sub-contractor has performed work for the Principal Contractor, he is required to invoice the Principal Contractor.
10.	TQ 2 – item 4 - if the PC has to pay the subs, this would mean that the PC would have to employ them – is this correct?	19/07/2019	A Principal Contractor shall decide whether they are required to sub-contract or employ additional staff. This is their commercial decision. However where the Principal Contractor does appoint a sub-contractor, he shall pay the subcontractor by the terms outlined in the tender documentation.
11.	We currently carry out work in domestic properties only for the Highland Council under the current framework, mainly bathroom refurbishments. We employ plumbers and joiners but subcontract electrical, flooring and decoration works to other local businesses. We are not involved in Council reactive maintenance, out of hours repairs etc and don't wish to tender for that type of work under	21/07/2019	Tenders can price for each Trade Lot they are interested in providing. In each Lot there is the option to be considered for Principal Contractor. There is also the Lot 16 for Principal Contractor. It is the tenderer's commercial decision to decide whether to bid for Lot 16 and/or whether to select the box in their trade.

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<p>the new Framework. Can you advise if we should therefore price for the Principal Contractor lot only?</p>		<p>The Council expect all tenderers appointed to this framework to be able to carry out both Planned and Reactive Works. Reactive works require the Council to estimate costs as outlined in paragraph 21 of the ITT and approach the suited tender on the Framework. However if the supplier cannot complete the Works as requested, the Council shall approach the next best suited supplier.</p> <p>If there are Planned Works, the Council shall conduct a mini-competition by inviting everyone in that Lot to submit a tender. This method extends to all Lots.</p>
<p>END.</p>		