

# North Lanarkshire Council Report

## Finance and Resources Committee

Does this report require to be approved?  Yes  No

Ref: NLC–SLP-24-018

Date: 26 February 2025

## Contract Award for Recover NL Programme Pitch Upgrades

**From** James McKinstry, Chief Officer (Assets and Procurement)

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### Executive Summary

Approval was given at Policy and Strategy Committee September 2022, to conduct a feasibility study and then undertake a procurement exercise to deliver a number of grass-to-synthetic pitch upgrades as part of the Recover NL Pitch Improvement Programme.

Following the feasibility study, it was determined that for the allocated budget of £3.2M (which included both RecoverNL funds and a council capital allocation), pitch upgrades could be made at Moodiesburn, Harthill, and Cleland.

A competitive procurement was conducted by Hub South-West on behalf of the council, resulting in the recommendation to award a contract to the most economically advantageous tenderer, W.H. Malcolm Limited, at a cost of Three Million One Hundred and Eighty-Six Thousand Nine Hundred and Fifty-Nine Pounds and Thirty-One Pence (£3,186,959.31) exclusive of VAT.

In accordance with the council's General Contract Standing Orders, item 21.3.2, approval was sought from the Deputy Chief Executive, to expedite the contract award in between Committee cycles.

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### Recommendations

It is recommended that the Finance and Resources Committee:

- (1) Acknowledge the content of this report.

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### The Plan for North Lanarkshire

<b>Priority</b>	All priorities
<b>Ambition Statement</b>	All ambition statements
<b>Programme of Work</b>	Transforming Places

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## **1. Background**

- 1.1. At Policy and Strategy Committee in September 2022, a number of options were presented to Committee for the Recover NL Pitch Improvement Programme. Committee approved the project team to conduct a feasibility study then a undertake a procurement to deliver a number of grass-to-synthetic pitch upgrades at various locations. It was always anticipated and understood that any and all works were dependent on both available funding, and suitable locations.
- 1.2. A comprehensive study was conducted, considering various factors such as parking, changing accommodation, and floodlighting.
- 1.3. Following the feasibility study, it was determined that the budget of £3.2M would feasibly convert three grass pitches across the North Lanarkshire area to synthetic all weather pitches.
- 1.4. The council used its territory partnership agreement with Hub South-West to undertake the competitive procurement to appoint a Contractor to deliver grass-to-synthetic pitch upgrades.

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## **2. Report**

- 2.1. The council used the Hub South-West vehicle for procurement. Five companies were invited to tender, three submitted a tender proposal.
- 2.2. The highest scoring tenderer was W.H. Malcolm Limited, and they were proposed to the council as the recommended Contractor.
- 2.3. Approval was sought from the Deputy Chief Executive, in accordance with General Contract Standing Order 21.3.2, to expedite the contract award in between Committee cycles.
- 2.4. Following approval, a contract award was made to W.H. Malcolm Limited, with final contract signing completed 11<sup>th</sup> November, which led to the immediate commencement of works.

### **Financial / Budget Consideration**

- 2.5. The pre-tender wholelife estimate budget for the Agreement was £3.2M. The successful bid was £3,186,959.31 exclusive of VAT including all associated contingencies and fees.
- 2.6. The costs associated with delivery of the Agreement will be contained within the capital budget for Forward Planning, Assets & Procurement.

### **Price Stability**

- 2.7. It is a fixed price proposal from W.H. Malcolm Limited and costs will be managed in accordance with the Agreement terms and conditions.

### **Community Benefits and Fair Work First**

- 2.8. In the tender scoring model, a 10% weighting was allocated to Community Benefits and Social Value. The proposal from W.H. Malcolm Limited identified the use of local enterprises which includes: employment opportunities, staff training and development. The utilisation of local business and suppliers will support the reduction of the carbon footprint on the project. W.H. Malcolm also provide other opportunities through workshops in construction.

## **Contract Management**

- 2.9. Officers from Active and Creative Communities will be responsible for managing the contractor which will be undertaken in accordance with the contract and supplier management conditions.

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### **3. Measures of success**

The contract will deliver the following outcomes:

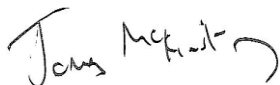
- 3.1. Best Value, by evaluating not only the cost of materials and workmanship but also factors, such as long-term maintenance, sustainability practises and previous experience in delivering similar projects.
- 3.2. Appointment of a contractor who has the experience and capability to provide the requirements in an efficient form of arrangement.
- 3.3. Conclusion of a procurement procedure - compliant with procurement legislation and internal procedures.
- 3.4. Delivery of a range of Community Benefits as outlined in section 2.9 above.

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### **4. Supporting documents**

Appendix 1	Summary of Tender Evaluation Process
Appendix 2	Summary of Procurement Process
Appendix 3	SME Status and Location of All Tenderers

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**James McKinstry**  
**Chief Officer (Assets and Procurement)**

5. **Impacts** ( <http://connect/report-template-guidance> )

<p><b>5.1 Public Sector Equality Duty and Fairer Scotland Duty</b> Does the report contain information that has an impact as a result of the Public Sector Equality Duty and/or Fairer Scotland Duty? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, please provide a brief summary of the impact?  If Yes, has an assessment been carried out and published on the council's website? <a href="https://www.northlanarkshire.gov.uk/your-community/equalities/equality-and-fairer-scotland-duty-impact-assessments">https://www.northlanarkshire.gov.uk/your-community/equalities/equality-and-fairer-scotland-duty-impact-assessments</a> Yes <input type="checkbox"/> No <input type="checkbox"/></p>
<p><b>5.2 Financial impact</b> Does the report contain any financial impacts? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If Yes, have all relevant financial impacts been discussed and agreed with Finance? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If Yes, please provide a brief summary of the impact?  Budget is available via the approved capital budgets.</p>
<p><b>5.3 HR policy impact</b> Does the report contain any HR policy or procedure impacts? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, have all relevant HR impacts been discussed and agreed with People Resources? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, please provide a brief summary of the impact?</p>
<p><b>5.4 Legal impact</b> Does the report contain any legal impacts (such as general legal matters, statutory considerations (including employment law considerations), or new legislation)? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, have all relevant legal impacts been discussed and agreed with Legal and Democratic? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, please provide a brief summary of the impact?</p>
<p><b>5.5 Data protection impact</b> Does the report / project / practice contain or involve the processing of personal data? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, is the processing of this personal data likely to result in a high risk to the data subject? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, has a Data Protection Impact Assessment (DPIA) been carried out and e-mailed to <a href="mailto:dataprotection@northlan.gov.uk">dataprotection@northlan.gov.uk</a> Yes <input type="checkbox"/> No <input type="checkbox"/></p>

5.6	<b>Technology / Digital impact</b>
Does the report contain information that has an impact on either technology, digital transformation, service redesign / business change processes, data management, or connectivity / broadband / Wi-Fi?	
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
If Yes, please provide a brief summary of the impact?	
Where the impact identifies a requirement for significant technology change, has an assessment been carried out (or is scheduled to be carried out) by the Enterprise Architecture Governance Group (EAGG)?	
Yes <input type="checkbox"/> No <input type="checkbox"/>	
5.7	<b>Environmental / Carbon impact</b>
Does the report / project / practice contain information that has an impact on any environmental or carbon matters?	
Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
If Yes, please provide a brief summary of the impact?	
The utilisation of local business and suppliers will support the reduction of the carbon footprint on the project.	
5.8	<b>Communications impact</b>
Does the report contain any information that has an impact on the council's communications activities?	
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
If Yes, please provide a brief summary of the impact?	
5.9	<b>Risk impact</b>
Is there a risk impact?	
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
If Yes, please provide a brief summary of the key risks and potential impacts, highlighting where the risk(s) are assessed and recorded (e.g. Corporate or Service or Project Risk Registers), and how they are managed?	
5.10	<b>Armed Forces Covenant Duty</b>
Does the report require to take due regard of the Armed Forces Covenant Duty (i.e. does it relate to healthcare, housing, or education services for in-Service or ex-Service personnel, or their families, or widow(er)s)?	
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
If Yes, please provide a brief summary of the provision which has been made to ensure there has been appropriate consideration of the particular needs of the Armed Forces community to make sure that they do not face disadvantage compared to other citizens in the provision of public services.	
5.11	<b>Children's rights and wellbeing impact</b>
Does the report contain any information regarding any council activity, service delivery, policy, or plan that has an impact on children and young people up to the age of 18, or on a specific group of these?	
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
If Yes, please provide a brief summary of the impact and the provision that has been made to ensure there has been appropriate consideration of the relevant Articles from the United Nations Convention on the Rights of the Child (UNCRC).	
If Yes, has a Children's Rights and Wellbeing Impact Assessment (CRWIA) been carried out?	
Yes <input type="checkbox"/> No <input type="checkbox"/>	

**Appendix 1 – Summary of Tender Evaluation Process**

<b>Final Rank</b>	<b>Tenderer Name</b>	<b>Total Tender Score</b>	<b>Recommended for Award (Yes / No)</b>
1	W.H. Malcolm Limited	95.50%	Yes
3	Fairways (Gm) Limited	92.87%	No
2	Allsports Construction & Maintenance Limited	89.64%	No

## Appendix 2 – Summary of Procurement Process

	Response			
<b>CPT Contract Reference Allocated:</b>	NLC-SLP-24-018			
<b>Procurement Procedure Utilised:</b>	Further Competition via HubSW			
<b>Governing Legislation / Regulations:</b>	Public Contracts (Scotland) Regulations 2015			
<b>Date Contract Strategy Approved:</b>	18 June 2024			
<b>Number of Companies Invited to Take Part:</b>	Five (5)			
<b>Date ITT Published:</b>	07 June 2024			
<b>Tender Return Deadline:</b>	20 July 2024			
<b>Number of Tenders Received:</b>	Three			
<b>Tenders from SME's:</b>	Two			
<b>Tenders from NLC Based Tenderers:</b>	None			
<b>Tenders from Supported Businesses:</b>	None			
<b>Number of Non-compliant Tenders:</b>	None			
<b>Number of Compliant Tenders:</b>	Three			
<b>Number of Recommended Tenderers:</b>	One			
<b>Evaluation Team:</b>	HubSW			
<b>Anticipated Start Date of the Agreement:</b>	23 September 2024			
<b>Total Agreement Period:</b>	22 Weeks			
<b>Awarded Value of the Agreement:</b>	.£3,186,959.31			
<b>Basis of Award:</b>	<b>Quality:</b>	20%	<b>Price:</b>	80%
<b>Evaluation Team:</b>	HubSW			
<b>Agreement Award Date</b>	11 November 2024			
<b>Start Date of the Agreement:</b>	11 November 2024			
<b>Total Agreement Period:</b>	22 Weeks			
<b>Awarded Value of the Agreement:</b>	£3,186,959.31			

**Appendix 3 – SME Status and location of all Tenderers**

<b>Name of Tenderer</b>	<b>Size of Tendering Organisation (Micro, Small, Medium or Large)</b>	<b>Location (Local Authority / Council Area)</b>
Allsports Construction & Maintenance Limited	Small	Midlothian
Fairways (Gm) Limited	Medium	Renfrewshire
W.H. Malcolm Limited	Large	Renfrewshire