

# Southern Construction Framework

## Professional Services



Compilation of Supplier Open Day Question and Answer Session on 14 November 2017

Questions responded to by SCF Team of K. Heard, J. Williams, A Sanford, and C Cook

Q1 How long does the framework operate for?

4 years as per the maximum term allowed under The Public Contracts Regulations 2015

Q2 Which design disciplines need to be delivered in Lot 2 Multi Disciplinary Designer (MDD)?

All core disciplines as noted in the RIBA Toolbox and as Prior information Notice.

Q3 What form of contract will be used by Professional Services (PS) team??

Primarily NEC 4 for the Prof Services; for the SCF contractor appointments could be NEC, JCT or other form of contract depending on client preference. We will always try to accommodate the client's ambitions for other contract forms if required

Q4 Do you think that 3 consultants will be able to deliver the variety and complexity of projects across the region?

That is the intention. We are looking to build a close relationship with few not many consultants. BUT that is one of the questions on the questionnaire in which we asking for your opinion.

Q5 Will it just be the SCF team scoring the tender?

For the tender scoring, part of the SCF team will be involved; we will also be involving others from Local Authorities in Southern England and people from the National Association of Construction frameworks. We aim for a wide range.

Q6 There are numerous other public sector frameworks out there e.g. SCAPE; why SCF as well as the others?

Because Clients want 2 Stage Open Book (2SOB) – which is what we specialise in. The other frameworks do not offer 2SOB as a core activity.

Q7 Are Designer fees maintained in the event of novation??

If design team services are novated to the contractor, then fees post novation to be agreed/negotiated by contractor, designer and client. The main delivery models on the framework are:

- Full Design Full consultant design fees fixed at mini-comp
- Design and construct Concept design fees fixed at mini-comp (Contractor leads from detailed design onward)

Design then novation is unusual; post novation fees/service negotiated. This arrangement would be lead by the client; there is no planned formal arrangement within the framework

**Q8 Will clients and contractors be able to go off framework for Professional Services?**

Yes. They already do; some clients have their own consultants and will continue to use them. But many clients approach SCF without a consultant team and ask for direction; this is the gap we are looking to fill in the Two Stage Own Book delivery model. Many contractors have their own design team.

**Q8 Do you have to choose between Project Manager and Cost Manager (PM and CM) (eg either bid for one or other?)**

No. PM and CM is all one lot; it's the Lot 1 PM/CM and Lot 2 MDD that are exclusive. You cannot bid for both lots.

**Q9 Why do you NOT want a single supplier on both lots e.g. PM/CM and MDD?**

In NEC4 the PM and Designer have separate responsibilities.

- The separation of PM/CM and MDD is the overwhelming client preference.
- The public sector clients tend to be quite risk averse so prefer independent PM/CM advise and independent designer advice

**Q10 Why not allow bidders to bid for both lots but only win one lot?**

No. We want bidders to fully commit to one lot or the other.

**Q11 Could a Designer leading the MDD bid include in his/her supply chain, designers from a large multi disciplinary organization that is bidding for PM/CM?**

Yes. That is possible. The companies on the framework must be distinct and separate but they may of course sub-consult as they need, provided there is no conflict of interest at subsequent appointments. The approach be outlined within the tender documents

**Q12 What if a framework consultant is involved in a dispute with a client? Would they be suspended?? If so that could leave you with just 2 consultants?**

We haven't thought seriously about suspending a consultant; it would be a bit self defeating. If the framework cannot deliver then the position is we wind up the framework and re procure.

**Q13 The contractor framework is sub-lotted geographically into 3 lots ie SW, SE and London. Why can't this be done with Professional Services??**

We want to keep this as simple as possible. A close relationship with a small core of consultants who really embrace the 2SOB principles and the collaborative working ethos.

Bidders will be required to confirm that they can deliver the service to the full geography of the SW, SE and London plus SE Wales and West Midlands. We want the same quality service across the whole geography. Pricing by separate region can lead to some skewed pricing. It is simpler just to establish the single not to exceed top rate at ITT then leave the rest to mini-comp. The tendered rates will need to cover the entire area; these can be reduced where possible to increase competitiveness

**Q14** Can you comment on future pipeline?

The best indicator is what we have delivered and are currently delivering. Since 2006 these contractor frameworks have delivered circa £500m of projects per annum. The current Gen 3 SCF commenced in April 2015 and has now got £1.8bn of projects delivered/ongoing. We are now running at about £800m of projects per annum. We expect this rate of delivery to continue to the end of SCF Gen 3 then increase in Gen 4 as we service non-core areas and we expand client base.

**Q15** Can you see projects of £150m plus in the pipeline?

There are possibilities; not certainties.

**Q16** Can clients engage contractors along with their design supply chain directly?

Yes. This does happen

**Q17** If the SCF Professional Services had been in place in April 2015 alongside the SCF Gen 3 contractor framework, then what proportion of the £1.8bn in SCF Gen 3 would have gone through the SCF PS consultant framework?

We estimate this would have been around 20% or circa £360m. This is the gap we are looking to fill, projects where clients have not already appointed consultants.

**Q18** Can SCF contractors bid to get on this consultant framework? If so could there be an incumbent advantage?

SCF Contractors can bid for the PS framework; under competition rules we cannot prevent them. However the skill sets, experience and requirements to be on the PM/CM and MDD frameworks are different to those on the SCF contractor framework so we don't see incumbent advantage. If a situation arises where a contractor is on both SCF and SCF PS then there will have to be boundaries in place to prevent conflict of interest.

**Q19** The £10m to £50m band is a wide band to cover in terms of fee bidding. Can you split this band down further?

We have looked at the pricing variance across this band width and don't think that the variance justifies further sub-lotting. The principle is for suppliers to bid at ITT stage a top end "not to exceed" fee percentage. This offer can be reduced at mini comp for projects that are less fee demanding.

**Q20** Have you Local Authorities who have committed to use the SCF PS consultant frameworks?

Yes. We have 3 LA's who are very interested

Q20 Have you Local Authorities who have committed to use the SCF PS consultant frameworks?

Yes. We have 3 LA's who are very interested

Q21 How does the early contractor involvement work with early consultant involvement? Who does what and when?

The intent is to get an integrated contractor/consultant pre construction team focussed on successful delivery using established project processes and procedures. The contractors main early involvement role is to advise on design/buildability/cost to assist in de-risking the design and the construction, so that when the construction phase begins, there is no risk that has not been mitigated or managed.

Q22 Have you thought about linking the subscription fee to consultant turnover earned?

Our experience is that active framework participants all get a fair share of the work. For many public sector users the service has to be free at point of delivery otherwise, they cannot use it. The flat charge is only intended to cover the procurement and framework management/delivery/marketing costs. So the flat subscription charge is payable by all on the framework.

Q23 Will clients be incentivised to use the SCF PS framework?

Our clients will certainly be made aware of the consultant offer but we will not incentivise them to use it in terms of discounting, etc.

Q24 Will SCF contractors be incentivised to use the SCF PS consultants?

Not by direct incentive (i.e. discount); it will be by mutual agreement of the client and team.

Q25 Our experience in mini-comps is that because many quality questions are repeated or very similar, then the quality scores achieved end up being the same over time. Therefore the competition is really about price in the end. How do you address this?

We encourage the client (with our input) to think about the project and the key challenges and then get the client to frame questions around the project specific requirements. Generic responses don't work in these situations.

Q26 Have you considered a mid point fee split?

No. We have looked at various commercial evaluation methods, and will continue with lowest price scoring highest.

Q27 Will there be design competitions as part of a mini comp?

No.

Q28 How much will the Continuous Accreditation Service provider cost?

Cost is based on company turnover and the highest cost with SSIP accreditation is £625 and without SSIP accreditation is £1,095 per annum.

Q29 How do you intend to deal with low price tenders at ITT?

We will reserve the right to interrogate low pricing and reject a tender that is considered to be abnormally low.

**Q30** Will major civils works be included in the scope of the framework?

No. It's not what we do. It is possible to do car parks road ways and multi storey car parks but not bridges and highways works or coastal defences.

**Q31** Could the lead consultant bidding on the framework put forward the names of different sub consultants i.e. the ability to select different sub consultants according to complexity, region or availability?

The Lead consultant will be required to name all proposed sub consultants; if there is a variation of sub consultant by region then that's OK. Consortia are acceptable but the Lead organization must have the relevant experience in 2SOB plus there are requirements around the consortia, specifically identified in the Public Contract Regulations 2015.

**Q32** Can sub consultants be added to the list through the duration of the framework?

A Yes. But we must not lose sight that this is a relationship we are looking to develop.

**Q33** Are South Wales and West Midlands included?

A Yes. Its actually SE Wales; Cardiff is as far as we go. And the West Midlands is included. It is on the border of the core SCF footprint.

**Q34** Not many SME's can deliver all services across the full geography. Is this not discouraging SME's from applying?

A As noted, the Lead organisation must have the relevant experience and capability and commit to delivering across the geography. Sub consulting further down is fine to benefit SME's.

**Q35** Is there a percentage target for SME involvement in the PS framework?

A No.

**Q36** How are non core services that a client may require at mini comp to be priced??

A If the service required is out of scope, then it is priced at mini comp as an extra over.

**Q37** Would Hampshire County Council (HCC) use the SCF PS framework?

A HCC are unusual in still retaining a large in house design team. Also we have a contract with 3 consultants to top up our internal teams as required to meet work load peak. These arrangements will continue for the foreseeable. HCC will not use SCF PS, although it has access to the framework

**Q38** Will Devon County Council (DCC) use the SCF PS framework?

A DCC currently have a contract with NPS to provide consultant services. It is unlikely that DCC will use the SCF PS. The SCF PS is really intended to fill the gap where many local authorities do not have access to consultant services. It is not intended to replace current arrangements at HCC or DCC. Looking at SCF Gen 3, please note that HCC and DCC comprise less than 5% of the demand. that is only 2 out of 50 clients that SCF currently support.

**Q39** Can NPS bid for the SCF PS framework?

Yes. NPS can bid. Like every one else they will need to demonstrate the relevant experience and their capability to deliver across full geography of the regions.

**Q40** Lot 1 PM/CM includes Health and Safety Advisor. Is this correct? It's not something that PM/CM's consider a core service. Is there a conflict with the Principal Designer role?

The role is as identified in the RIBA Toolbox. We will review where it sits best.

**Q41** Can we see the delegate list for today's Supplier Day – or even the list of companies attending?

No. If we published the list it would be a data protection breach.

**Q41** Are there going to be minimum turnover requirements for bidders?

Yes. In accordance with the PCR Regulations 2015, we will state minimum turnover criteria. So assume the annual workload is shared out equally in each lot (one third each); then we would stipulate that this SCF PS work should not exceed 50% of the suppliers overall annual turnover.

**Q42** What about Z clauses in the SCF 4?

There will be some core Z clauses. If clients wish to add additional Z clauses then they will be viewed as extra over and priced according at mini-comp.

**Please note that the contents of this Supplier Day are provided in good faith, but it is possible that some of the information provided at the suppliers day may change following interaction from this suppliers day.**

**Please thoroughly read all information in the ITT and other procurement documents (when released) which will have precedence over all information provided in the supplier day.**

## **Contact us:**

**For more information and our Quick Start Guide please contact us today:**

E: [info@southernconstructionframework.org.uk](mailto:info@southernconstructionframework.org.uk)

T: 01962 845942

W: [southernconstructionframework.org.uk](http://southernconstructionframework.org.uk)