



# South East & Mid Wales Highways and Civil Engineering Framework (SEWH) Market Day Event



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# Introductions

## SEWH Framework Team

## Technical Advisors



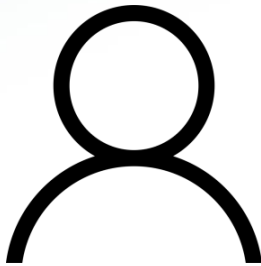
Chris McLellan  
Framework Manager



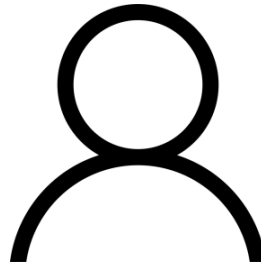
Kevin Shackson  
Framework Manager



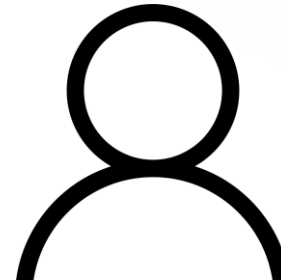
Dylan Roberts  
Associate Director  
Faithful & Gould



Penny Haywood  
Framework Procurement  
Officer

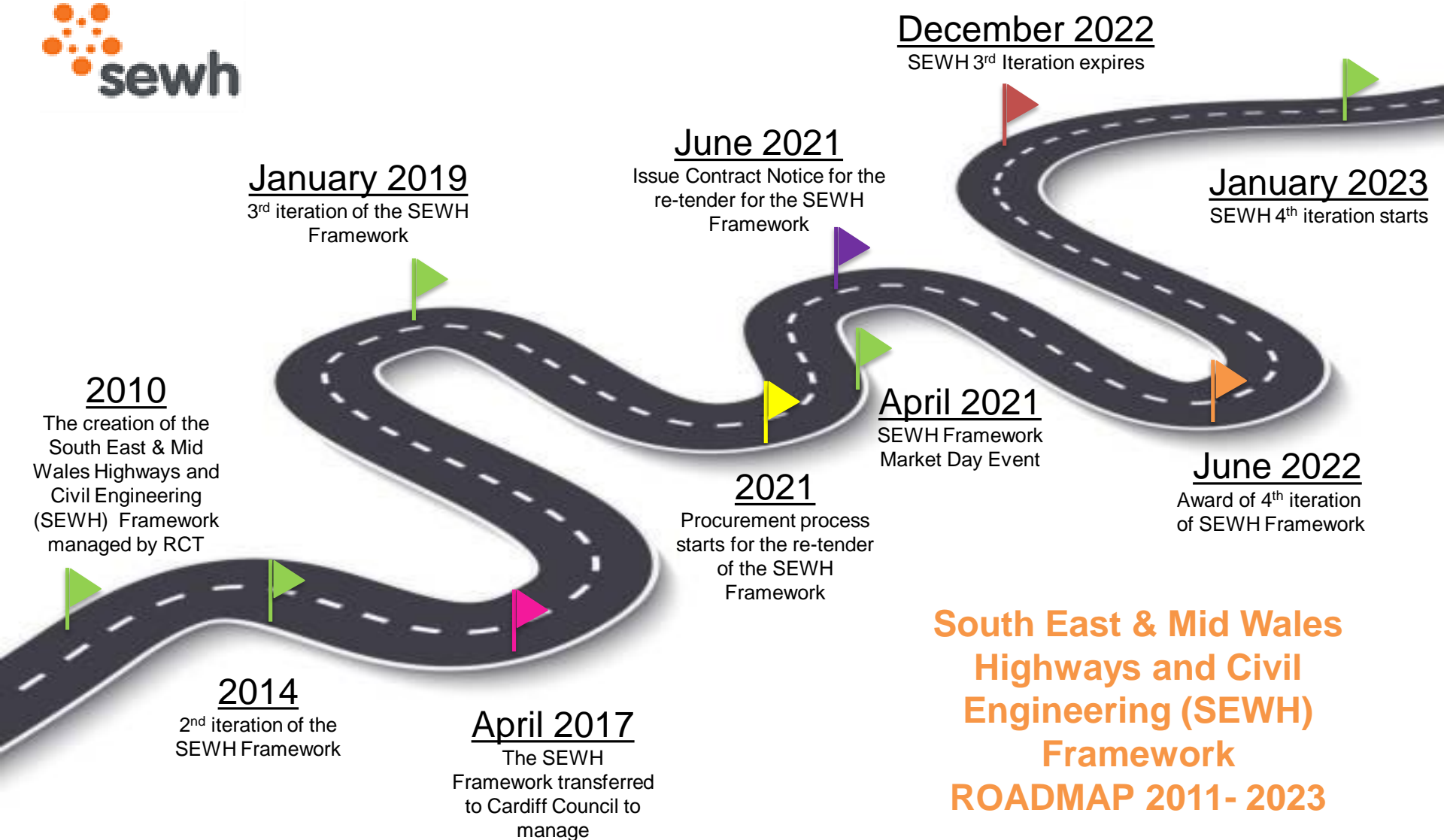


Carl Boucher  
Framework Procurement  
Support Officer



Russ Drury  
Senior Project Manager  
Faithful & Gould







# South East & Mid Wales Highways and Civil Engineering Framework (SEWH) Framework Structure



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# Current Framework Scope

Lot Desc.	Scope
Lot 1 - Torfaen, Blaenau Gwent, Monmouthshire, Caerphilly,	Minor works (Renewals) up to £150k
Lot 2 - RCT, Merthyr	Minor works (Renewals) up to £150k
Lot 3 - Bridgend, VoG, Cardiff, Newport	Minor works (Renewals) up to £150k
Lot 4 - Torfaen, Blaenau Gwent, Monmouthshire, Caerphilly,	Project's (Improvements) £150k to £500k
Lot 5 - RCT, Merthyr,	Project's (Improvements) £150k to £500k
Lot 6 - Bridgend, VoG, Cardiff, Newport	Project's (Improvements) £150k to £500k



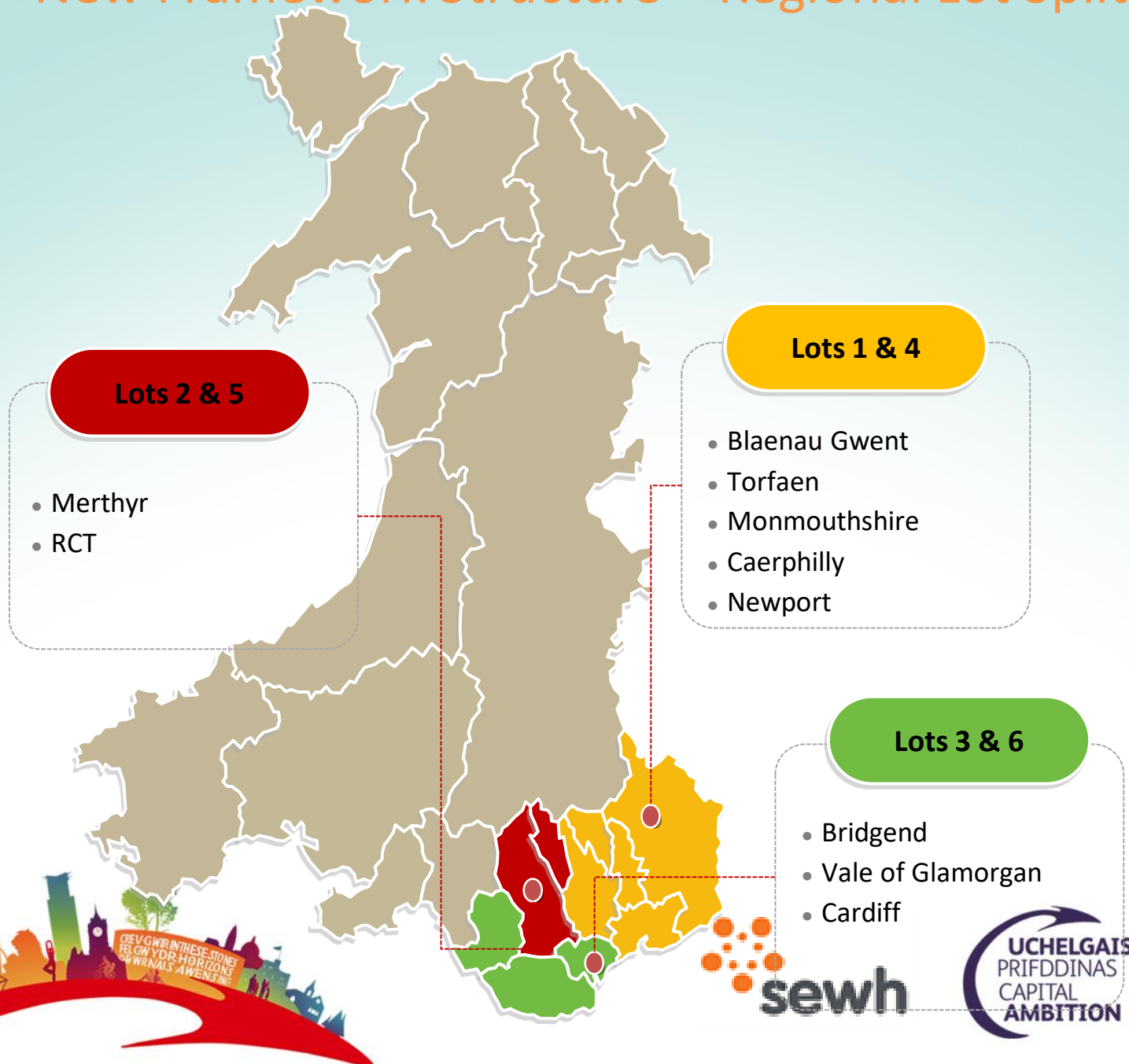
# Current Framework Scope – cont.

Lot Desc.	Scope
Lot 7 - All	Project's (Improvements) £500k-£2m
Lot 8 - All	Project's (Improvements) £2m-£5m
Lot 9 - All	Project's (Improvements) £5m-£10m
Lot 10 – All	Surfacing - Up to £10m
Lot 11 – All	Surfacing Preservation - Up to £10m





# New Framework Structure – Regional Lot Split



# New Framework Scope – cont.

Lot Desc.	Scope	No. Contractors
Lot 1 - Torfaen, Blaenau Gwent, Monmouthshire, Caerphilly, Newport	Minor works (Renewals) up to £150k	8 (2 Reserves)
Lot 2 - RCT, Merthyr,	Minor works (Renewals) up to £150k	8 (2 Reserves)
Lot 3 - Bridgend, VoG, Cardiff	Minor works (Renewals) up to £150k	8 (2 Reserves)
Lot 4 - Torfaen, Blaenau Gwent, Monmouthshire, Caerphilly, Newport	Project's (Improvements) £150k to £500k	8 (2 Reserves)
Lot 5 - RCT, Merthyr,	Project's (Improvements) £150k to £500k	8 (2 Reserves)
Lot 6 - Bridgend, VoG, Cardiff	Project's (Improvements) £150k to £500k	8 (2 Reserves)





# New Framework Scope – cont.

Lot Desc.	Scope	No. Contractors
Lot 7 - All	Project's (Improvements) £500k-£2m	8 (2 Reserves)
Lot 8 - All	Project's (Improvements) £2m-£5m	8 (2 Reserves)
Lot 9 - All	Project's (Improvements) £5m-£10m	8 (2 Reserves)
Lot 10 – All	Surfacing Up to £10m	Up to 5 per lot
Lot 11 – All	Surfacing Preservation Up to £10m	Up to 5 per lot
Lot 12 – All	Flood Defence	Up to 5 per lot
Lot 13 – All	Grounds Investigation	Up to 8 per lot
Lot 14 – All	Supply and Install of signage	Up to 5 per lot



# Framework call-off mechanism

## **Selection Process A (All Lots) – Direct Award**

Use of the Schedule of Rates, or other applicable rates within the Framework Agreement, to determine the lowest cost. Possible that up to 20% of the intended cost of the works is not available in the Schedule of Rates. Where no rate can be used for an element of the works or services, the Potential Employer may price it using Defined Cost plus Fee (as defined in the NEC Contract) or actual cost or on a time charge as appropriate.

## **SELECTION PROCESS B (ALL LOTS) – FURTHER COMPETITION**

Award the Call-Off Contract to the Framework Contractor which provides the most economically advantageous (“best value for money”) tender in response to an Invitation to Tender. The objective criteria for determining which tender is the most economically advantageous will be determined by the Potential Employer and set out in the Invitation to Tender.



# Framework call-off mechanism

- 0% Quality/Technical and 100% Price
- 10% Quality/Technical and 90% Price
- 20% Quality/Technical and 80% Price
- 30% Quality/Technical and 70% Price
- 40% Quality/Technical and 60% Price
- 50% Quality/Technical and 50% Price
- 60% Quality/Technical and 40% Price
- 70% Quality/Technical and 30% Price
- 80% Quality/Technical and 20% Price

The Framework will offer the option to implement 10% of the weightings to include additional social value/ Welsh TOMs if required by the Client on lots 7-11.

e.g. 100% Price, 0% Quality and 0% Social Value (social value levy applies)  
90% Price, 0% Quality and 10% Social Value  
80% Price, 10% Quality and 10% Social Value  
30% Price, 60% Quality and 10% Social Value  
20% Price, 70% Quality and 10% Social Value



# Framework Levy

## Call-Off Contracts

The Contractor shall pay to the Authority within thirty (30) Working Days after the date of entering into each Call-Off Contract (or if earlier, the date upon which the Contractor commences any works or services in relation to a Construction Project) the appropriate Framework Levy (0.75%) and Social Levy ((1.0%) if applicable).

The Framework Levy will be calculated from the **awarded** Contract Value sum **including** provisional sums that formed part of the awarded tender submission but excluding value engineering.

## Batched and Term Service Contracts

The Framework levy on batched or term service contracts will be collected quarterly after the date of entering into the Call-Off Contract (or if earlier, the date upon which the Contractor commences any works or services in relation to a Construction Project) on the awarded value to date; up to the awarded Contract value sum including provisional sums that formed part of the awarded tender submission. Variations that take the value over the awarded Contract Value will be excluded. The Contractor shall pay to the Authority within thirty (30) Working Days from the date on the invoice.

## ECI

The Framework levy will be collected on award for design stage and then at construction stage. Levy will be based on the Contract Awarded value including any provisional sums.



# Framework Key Performance Indicators (KPIs)

KPIs for the next iteration of the Framework will be reviewed by the Framework Team during the tender process and for final KPIs to be agreed during the implementation sessions of the next iteration.



# Mentimeter

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<https://www.menti.com/cnhtdkm7r5>







# South East & Mid Wales Highways and Civil Engineering Framework (SEWH) Contract Documentation, Specification & Schedule of Rates (SoR)



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# Framework Forms of Contract

Continue to use the NEC4 suite, with the following forms

- ✓ a Short Form Contract
- ✓ a Batching Contract
- ✓ an Option A Works Contract
- ✓ an Option B Works Contract
- ✓ an Option C Works Contract
- ✓ an Option A Professional Services Contract;
- ✓ an Option E Professional Services Contract;
- ✓ a Term Service Contract



# Contract Clauses

## Contract Data

Contract Data Part 1 is populated by the Client for each call off contract and should be based on specific project information.

## X Clauses Secondary

Clause No.	Included in Contract	Description	Notes
X2	Yes	Changes in the Law	
[X4]	Yes (optional)	Ultimate holding company Guarantee	
[X5]	Yes (optional)	Sectional Completion	
X7	Yes	Delay Damages	To be calculated on project level basis.
[X8]	Yes (optional)	Undertakings to the Client or Others	
[X9]	Yes (optional)	Transfer of rights	
[X10]	Yes (optional)	Information Modelling	
[X11]	Yes (optional)	Termination by the Client	
[X13]	Yes (optional)	Performance Bond	
[X14]	Yes (optional)	Advanced payment to the Contractor	
X15	Yes (optional)	The Contractor's Design	Changed to Optional
X16	Yes (optional)	Retention	Changed to Optional to allow flexibility retention % and retention-free amount
[X18]	Yes (optional)	Limitation of liability	
[X20]	Yes (optional)	Key Performance Indicators	Project Specific KPIs
[X21]	Yes (optional)	Whole life cost	
[X22]	Yes (optional)	ECI	
Y(UK)1	Yes (optional)	Project bank account	To be included in retender as optional
Y(UK)3	Yes (optional)	Third Party rights	To be included in retender as optional



# Contract Clauses

## Z Clauses – Supplementary Conditions of Contract

### Part A – Amendments

There are a number of amended clauses in the current framework intended to provide further clarity, definition and protection to framework users.

Optional clauses are included to allow flexibility and risk share between the parties. These are included or deleted by Client on call off basis.

*E.g. Compensation Event Clause (60.1)*

*60.1 (12) – Physical Conditions*

*60.1 (13) – Weather risk*

*60.1 (19) – ‘Force Majeure’*

*Client to indicate if deletion is required.*



# Contract Clauses

## Z Clauses – Supplementary Conditions of Contract : Part B – Additions

Z Clause No.	Title
Z1	Confidentiality and Freedom of Information Act
Z2	Copyright
Z3	Site Information
Z4	Welsh Language Scheme
Z5	Construction Industry Scheme
Z6	Community Benefits Plan
Z7	Community Benefits Measurement Tool
Z8	Special Requirements of statutory bodies
Z9	Notices by <i>Contractor</i> to <i>Client</i>
Z10	Third Party Agreements
Z11	Fair Payment
Z12	Intellectual Property Rights
Z13	Equality and Diversity
Z14	Collateral Warranty
Z15	The Public Contracts Regulations 2015
Z16	Audit and Inspection
Z17	Modern Slavery Act
Z18	Key Performance Indicators
Z19	Design Review Process
Z20	Novation



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# South East & Mid Wales Highways and Civil Engineering Framework (SEWH) Social Value



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# Social value

The Framework will continue to build on the work to support the delivery of the Wellbeing of Future Generations Act 2015, through the below:

## Social Value Charter

The Framework will continue to develop on the current Framework Charter and progress it into future proofing the next iteration. Contractors will be expected to sign up to and evidence as to how they will deliver Social Value on Client specific projects and as a Framework Contractor throughout the life of the Framework.

## Social Value Levy

A mandatory Social Levy of 1.00% will be paid by the Contractor to the Framework Team within 30 days of the invoice being received (as dated on the invoice) on lots 1-6. The Contractor when paying the Social Levy will not be expected to provide a Community Benefits Plan as an addition to the Social Levy but if they wish to report any inclusive Social Value they can do so.

For Lots 7-11, the Social Levy will be optional whereby the Potential Employer will include within its Request or Invitation to Tender project specific requirements as part of social value.

## Project Specific Social Value

Clients may request project specific social value within their tender submissions, either within their employers requirements (mandatory) or additional Project specific social value through quality questions (Welsh TOMs) or social value plans. During this, Framework Contractors are expected to uphold the values of the Charter; delivering social value which supports the WBFG 2015 Act



# Social Value - Further Developments

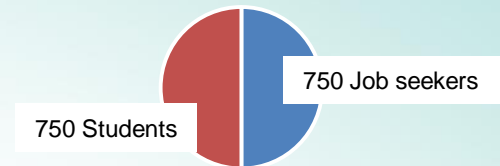
- **Climate Emergency** – through Network with Supply Chain Sustainability School, and other parties explore the introduction of a decarbonisation tool, and hold awareness sessions
- **Construction Hub** – SEWSCAP secured CITB funding to create on-site construction hub, which will be available to be used by non-SEWSCAP clients and contractors.
- Support available from The Supply Chain Sustainability School:  
[info@supplychainschool.co.uk](mailto:info@supplychainschool.co.uk)



# CITB SE Wales Onsite Experience & Training Hub

- **750** unemployed individuals become site-ready
- **750** college students provided with onsite work experience
- **225** site-ready individuals sustain employment or apprenticeships for over 12 weeks
- **65** individuals in sustained employment or apprenticeships from under-represented groups

## Skills and Experience



## Employment and Apprenticeships



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# South East & Mid Wales Highways and Civil Engineering Framework (SEWH) Tender Process



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# Barriers to tendering

Barrier	How we will overcome this
Daunting tendering process which discourages SMEs	We will be holding a session 2-3 weeks after the tender has been issued to walk through the Pre-Qualification.
Large tender pack to get on to the Framework	We are reviewing the tender pack to be proportionate to the lots.
Multiple Policies and Initiatives	Framework will support where possible with these as initiatives, seeing it as a collaborative approach. The tender documentation will include all links to these policies
Risk allocation	We are reviewing all clauses within the Framework and updating guidance to assist Clients in their decision making process.
Specifications and standard details outdated	We are reviewing the specifications and updating them to ensure they are most up to date, which will lessen the need for rogue items

# Pre-Qualification Questionnaire (PQQ)

- Restricted Procedure
- SQulD issued via Proactis Portal:

Mandatory Sections	Pass/Fail	Scored
Supplier Acceptability	Yes	No
Economic & Financial Standing	Yes	Yes
Capability & Capacity	Yes	Yes
Management	Yes	Yes
Equal Opportunities	Yes	No
Sustainability	Yes	Yes
Health and Safety	Yes	Yes

Minimum overall quality threshold % will be required in order to progress to ITT stage



# Pre-Qualification Questionnaire (PQQ)

- Once the tender is issued, you will have access to two key documents which will assist in you being able to complete a compliant tender:
  - PQQ Documentation – details on the process and what the questions are
  - PQQ Guidance Document – How each question will be scored, what the Authority is expecting
- PQQ will be split into sections;
  - Overarching sections which will only have to be answered once no matter how many lots you apply for
  - Lot specific sections which will have to be completed for each lot you apply for



# Pre-Qualification Questionnaire (PQQ)

## Supplier Acceptability\*

\*Questions within this section are Pass/Fail, subject to detail responses. Answers are Yes or No, if your answer would result in you failing that question, there will be an opportunity for you to provide details on the reasoning. Whether you pass or fail will then be at the discretion of the Authority.

- Convictions in the past 3- 5 years against laws;
- Conflicts of interest
- Blacklisting
- Tax related offences



# Pre-Qualification Questionnaire (PQQ)

## Economical/ Financial Standing\*

### \*Mix of scored, pass/fail and information only questions

- Company registration number
- DUNS Registration number – scored based on risk rating.
- Has your organisation been profitable in each of the last three financial years – Pass/Fail subject to explanation
- Acid- test ratio for last set of year end audited accounts – scored
- Return on Capital Employed for last set of year end audited accounts – scored
- Gearing on last set of year end audited accounts - scored
- Accounts required for the past 3 financial years
- Confirmation that would be willing to submit one of the following:
  - A parent company guarantee
  - A performance guarantee bond
  - Bank guarantee
  - Advance payment bond



# Pre-Qualification Questionnaire (PQQ)

## Economical/ Financial Standing - Lot specific

The insurance value will vary depending on the lot, Bidders must have these by Framework Start Date.

- Public Liability Insurance
- Employers Liability Insurance
- Professional Indemnity Insurance





# Pre-Qualification Questionnaire (PQQ)

## Capacity & Capability\*

### \*Mix of scored, pass/fail and information only questions

- Main business activities
- Has your organisation had a contract cancelled or not renewed
- Had to pay liquidated damages
- Will meet welsh language measure
- Will meet Cyber Essentials Certification Scheme or equivalent

### Lot Specific

- Three recent and relevant examples of experience in using NEC Form of Contract (Lot 4 onwards) - scored
- 3 relevant contracts you have successfully delivered in the last 5 years that show experience that is relevant to the requirement – scored against following criteria:
  - Example must be within +/- Lot Value that you are apply for. If the example covers multiple lots you are applying for, you may use the same example
  - Experience in delivering similar works
  - **Testimonial** from Client that covers delivery within the time specified in the Contract, quality and within the Contract value of the specific Contract.
    - » Testimonials must be on Client headed paper or email with persons signature under the email



# Pre-Qualification Questionnaire (PQQ)

## Management

### Scored and Pass/Fail Questions

- ISO9001 or equivalent
- If you do not have the above, there are 5 questions to answer in regards to quality management. If you answer the above, you do not need to answer these 5 questions.
- Confirmation you have a anti-competitive practices policy in place – Pass/Fail



# Pre-Qualification Questionnaire (PQQ)

## Equal Opportunities

### Scored and Pass/Fail Questions

- Any findings in the last 3 years of unlawful discrimination against your organisation or subcontractors – Pass/Fail
- Confirm obligation and signing up to the Code of Practice: Ethical Employment in Supply Chains - Scored
- Whether you are subject to or not aware of any ongoing investigations in regards to modern slavery and/or human rights abuses – Pass/Fail
- All workers have employment Contracts – Pass/Fail
- All workers are paid in line with Living Wage – Pass/Fail



# Pre-Qualification Questionnaire (PQQ)

## Sustainability

### Scored and Pass/Fail Questions

- Whether your organisation or subcontractors have any convictions of breaching environmental legislations – Pass/Fail
- Confirmation of ISO14001 or equivalent - scored
- If you don't have the above, you have to answer 4 questions - scored
- Pay all suppliers and subcontractors within 30 days– Pass/Fail
- Experience of site waste management plans and managing supply chain in regards to waste to landfill objectives – scored
- Experience in Social Value over the last 3 years – scored
- Evidence of developing and maintaining skills over the last three years – scored
- Ensuring that your organisation and supply chain do not contravene Anti-Dumping Legislation – Pass/Fail
- Ensuring Responsible Sourcing of Products/ Sustainability - scored



# Pre-Qualification Questionnaire (PQQ)

## Health and Safety

### Scored and Pass/Fail Questions

- Policy for health and safety and endorsed by Chief Executive Officer – Pass/Fail
- Any Health and Safety Notices for your organisation or subcontractors – Pass/Fail
- SSIP or equivalent – Pass/Fail
  - If you do not have one of the above, you will be asked to confirm your organisation satisfied CDM Regulations 2015.
- Do your staff receive induction and/or safety training before undertaking work?
- Experience of site waste management plans and managing supply chain in regards to waste to landfill objectives – scored
- Nominated competent person responsible for Health & Safety advice? – Pass/Fail
- Evidence of developing and maintaining skills over the last three years – scored



# PROACTIS Portal – How to Access Opportunity

All Documentation when issued will be available via Proactis Portal

<https://supplierlive.proactisp2p.com/Account/Login>

## How to Access Opportunity:

- Log into the PROACTIS Supplier Portal
- Select '**Opportunities**' to view all opportunities available



# PROACTIS Portal – How to Access Opportunity

- Search using the text field or use **'Filters'** to locate opportunities, alternatively scroll through the list of opportunities

From here you can review the requests that have been sent to you by customers and create responses.

Search by customer reference, title or customer name...

Search

Filters

- Locate opportunity and click on the blue arrow glass to review opportunity details
- Review opportunity details including description, contract start/end date and purchasing contact
- To register an interest in the opportunity, select the **'Register an Interest'** button, this will provide you with access to the opportunity details and allow you to create a response



✓ Register Interest





# PROACTIS Portal – How to Create a Response

- Go to **'Opportunities'**
- Select the opportunity that you have registered an interest in using the blue arrow (the opportunity will be classed as Private)
- Review the **'General'** details of the opportunity
- To view documents, expand the **'Request Documents'** section



The screenshot shows the 'Your Response' page for opportunity ERSP1000240. The page has a dark blue sidebar with icons for home, search, and documents. The main content area has a header with the Cardiff Council logo and the title 'Your Response | ERSP1000240'. Below the header are buttons for 'Decline', 'Messages', 'Validate', 'Save', and 'Submit'. A message states: 'From here you can edit your response by completing the various steps within the wizard below, or process it using the options above.' Below this is a navigation bar with buttons for 'General', 'Items', 'Questions', and 'Attachments'. The 'Request Documents (1)' section is expanded, showing a table with one document: 'Provision of Training Services' of type 'Generic Documents'. A 'Download' button with a Word icon is next to the document name.

Name	Type	Download
Provision of Training Services	Generic Documents	



# PROACTIS Portal – How to Create a Response

- To send/view messages relating to the opportunity, select '**Messages**'
- Please ensure that you '**Save**' your response throughout, this allows you to save what you have already inputted and you can go back to this at any time up until the closing date
- To create a response to the opportunity complete the various steps within the wizard



# PROACTIS Portal – How to Create a Response

- The opportunity is made up of a number of steps including:



- **General** – This is where you can view the opportunity details, Request documents and allows you to add any additional information for the buyer (The City of Cardiff Council)
- **Items** – This is where you will provide a price for the items included within the opportunity
- **Questions** – This is where you will answer questions related to the tender
- **Attachments** – This is where you can attach any additional documents



# PROACTIS Portal – How to Create a Response

- To upload documents to questions, use the **'Select File'** option. Note that any one file can be uploaded per question

A light purple rectangular button with rounded corners and a thin border, containing the text "Select file..." in a dark purple font.

- You are able to **'Validate'** your response at any point; this will inform you if there are any questions that you have not yet answered

A dark blue rectangular button with rounded corners and a thin border. It features a white checkmark icon on the left and the word "Validate" in white text on the right.

- Once you have completed all the questions contained within the opportunity, you can progress to the next stage of the response.
- To add any additional attachments to your response select the **'Attachments'** tab.
- Once you have completed and validated your response to the opportunity you will be in a position to submit



# PROACTIS Portal – Submission of Response

- To submit your response select the **'Submit'** option at the top of the screen
- The system will notify you that your response has been submitted



- To View, Amend or Resubmit your response prior to the deadline select the opportunity within the list of **'Opportunities'** and follow the steps above for responding to an opportunity



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# Framework Retender Timescales

The following dates are anticipated and may change:

Activity	Target Date
OJEU notice published with PQQ made available to Potential Providers.	End of June 2021
PQQ session	3rd week of July 2021
PQQ Return Date	August 2021
Evaluation of PQQs completed	October 2021
Invitation to tender issued to qualified Potential Providers	November 2021
Tender Return Date	Mid Jan/ Early Feb 2022
Evaluation of tenders completed.	March 2022
Standstill period	May/ June 2022
Contract Award	June 2022
Implementation / Mobilisation	6 months
Framework Start Date	1 <sup>st</sup> January 2023





Any Questions?



# Contact the Team

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Email: [sewhighways@cardiff.gov.uk](mailto:sewhighways@cardiff.gov.uk)

Telephone: 02920 873701

## Team Members

**Chris McLellan** – Framework Manager

**Kevin Shackson** – Framework Manager

**Penny Haywood** – Procurement Officer

**Carl Boucher** – Framework Support Officer

