



Department of Health

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4 November 1996
Telephone 0131-244
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**FOR
REFERENCE ONLY**

Dear Colleague

HEALTH BUILDING:

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- A. SCOTTISH CONSTRUCTION CODE (SCOTCONCODE)
- B. CONTRACTOR MANAGEMENT INFORMATION SYSTEM (CMIS)
- C. CONSULTANTS REGISTER (CONREG)

Summary

1. This letter introduces SCOTCONCODE, a comprehensive suite of construction procurement guidance. It is designed to complement the procedures set out in the Scottish Capital Investment Manual in respect of non PFI construction projects. It fully reflects wider government procurement policy and is largely common to guidance used within the NHS in England, Wales and Northern Ireland (CONCODE). The only difference being the additions and amendments required to reflect specific contract forms and conditions applying only to Scotland. The sections of SCOTCONCODE dealing with professional appointments may also be of use when assembling client advisory teams for PFI projects.

2. This letter also provides updated information at Annex A on the Government's computerised database of information on contractors (CMIS), and offers colleagues the opportunity to access the Government's computerised database of information on construction consultants (CONREG) (also Annex A).

Action

3. Colleagues are recommended to use SCOTCONCODE when investing public funds in the planning and management of construction projects, and also to make use of CMIS and CONREG.

* A COPY IS AVAILABLE TO LOOK AT FROM ISD LIBRARY

Addressees

For action:

Chief Executives, NHS Trusts
General Managers, Health Boards
General Manager, Common Services Agency
General Manager, State Hospitals Board for Scotland

For information:

General Manager, Health Education Board for Scotland

Executive Director, SCPMDE

Enquiries to:

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Building & Estates Adviser
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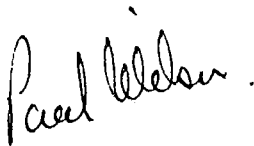
Reference
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Further Information

4. SCOTCONCODE is a 3 volume set and is therefore being sent under separate cover to action addressees. It takes account of all changes promulgated prior to 1 April 1996. A list of the set contents is attached here as Annex B.

5. As colleagues know, arising from the change in the Directorate of Trusts estates responsibilities, the provision of operational guidance on estates and related matters now falls within the scope of the Estates Environment Forum. This includes construction procurement guidance, ie SCOTCONCODE. Similarly in England, CONCODE is no longer funded by the Department of Health although it remains an essential part of the range of guidance produced by NHS Estates. Consequently, following the issue of this letter the Management Executive's direct responsibility for SCOTCONCODE will end. It will, of course, continue to liaise with the Forum to ensure that it is made aware of any change in the Government's construction procurement policy and of consequent Scottish Office action.

Yours sincerely

A handwritten signature in cursive script that reads "Paul Wilson".

PAUL WILSON
Director of Trusts

**CONTRACTOR MANAGEMENT INFORMATION SYSTEM (CMIS)/ALERT
NOTICES**

1. CMIS is operated and maintained by the Department of the Environment (DOE) and is a computerised database of information on contractors approved by the DOE as being financially sound and technically capable of undertaking various types of contracts up to specified values. Performance monitoring, based on reports from end users, and regular reviews are undertaken of all firms in the database. Any firm which fails to meet the high financial and technical standards expected is removed from the database.
2. As stated in MEL(1994)123, dated 21 December 1994; amongst the actions recommended in Sir Michael Latham's report, "Constructing the Team" was a recommendation that the CMIS list should be developed to become a single source from which contractors seeking to do work with any public sector body should be drawn. Such a national system has not yet been set up but Health Bodies continue to have access to the existing system.
3. A copy of the current edition (February 1996 revision) of the Users Guide (non-departmental) is attached for your use. To obtain access to the Approved List, Health Bodies should consult the Scottish Office Development Department's Construction and Building Control Group (CBCG). The contact point is:

Mr Tom Stirling
Room 2-J
Victoria Quay
Edinburgh
EH6 6QQ

Tel: 0131 244 7482
Fax: 0131 244 7454

4. As stated above, although CMIS is primarily a tool for the use of Government Departments and Non-Departmental Public Bodies, Health Bodies have had access to it since 1 April 1993 [ref MEL(1993)50]. Although the use of CMIS is not mandatory, its use by Health Bodies is recommended when pursuing the selection of tenderers as outlined in SCOTCONCODE.
5. The forms contained in the Users Guide may be freely copied. Finally may I emphasise that for CMIS to operate effectively, it is **vital** that Health Bodies make the end-user returns requested ie Form 1.4 on award of contract, and Form 1.5 on contract completion. Colleagues will note that Form 1.4 contains the same information contained in Form MCP600 in SCOTCIM. The copying of the latter form to CBCG is equally acceptable. Similarly, Form 1.5 is essentially the same as the assessment of contractors performance part of Form MCP600. Again, the copying of the latter to CBCG is equally acceptable.
6. Finally, you will wish to note that MEL(1993)50 and EPM(1994)8 are now cancelled.

ALERT NOTICES

7. As part of the CMIS, CBCG issue "Alert Notices" from time to time. These advise a ban on all tendering activity with a specified firm. If a Health Body wishes to be included in a direct mailing list for such notices, please write to me specifying the service category or categories in which they have an interest (see appendix 1.1 to User Guide), and providing an E-mail address if possible.

CONSULTANTS REGISTER (CONREG)

8. As stated in MEL(1994)123 dated 21 December 1994; amongst the actions recommended in Sir Michael Latham's report, "Constructing the Team", was a recommendation that DOE should compile a register of consultant firms seeking public sector work in the United Kingdom and that it should be based on CONREG. Such a national system has not yet been set up but as promised in MEL(1994)123 access to the existing CONREG system has now been arranged.

9. CONREG is operated and maintained by the DOE and is a computerised database of information on consultants approved by the DOE as being eligible to undertake commissions which are directly connected with the design of buildings and associated services.

10. A copy of the current edition (May 1996) of the Users Guide is attached for your use. To obtain access to the information, Health Bodies should consult CBCG. The contact point is:

Ian Campbell
Area 1-J
Victoria Quay
Edinburgh
EH5 6QQ

Tel No: 0131 244 2780
Fax No: 0131 244 7454

It should be emphasised that CBCG can only provide the factual information contained in the register and that requests for information on Forms 2.1 and 2.2 should allow a reasonable time for responses.

11. As can be seen from the Users Guide, CONREG is primarily a tool for the use of Government Departments. Although its use by Health Bodies is not mandatory, it is recommended when pursuing the selection of tenderers as outlined in SCOTCONCODE.

12. The forms contained in the Users Guide may be freely copied. Finally, may I emphasise that it is **vital** that Health Bodies using CONREG make the end-user returns requested, ie Form 2.3 on award of commission and Form 2.5 on commission completion. Colleagues will note that Forms 2.3 and 2.4 serve a similar purpose to Form MCP500 in SCOTCIM. Again, the copying of the latter to CBCG is equally acceptable.

INVENTORY OF CONTENTS MAILED SEPARATELY

BOX 1

SCOTCONCODE

Agreements (loose, not punched for binding):

Agreement for the appointment of architects, surveyors and engineers for commissions in the NHS (1995 Edition):

- ◆ Vol 1: Scheme particulars, conditions of appointment, provision for fees and expenses, specimen certificates, definitions, memorandum of agreement, (1995 Edition).
- ◆ Vol 2: Supplementary annexure.
- ◆ Vol 3: Duties under the Construction (Design and Management) Regulations 1994.

Agreement for the appointment of project managers for commissions for construction projects in the NHS (1995 Edition)

Consultant's agreement for minor works.

BOX 2

Procedures (punched for binding):

Contracts and commissions for the NHS estate -

- ◆ Guide to Contract procedures
- ◆ Guide to procedures for commissioning building and engineering consultants
- ◆ Amendment no 1 (1995)
- ◆ Guide to contract strategies for construction projects in the NHS
- ◆ Guide to the requirements of European Community Public Procurement Directives
- ◆ Amendment no 1 (1995)
- ◆ Guide to CONDAM Regulations.

BOX 3

Contracts:

- ◆ Guide to the JCT Agreement for minor building works
- ◆ Amendment no 1 (1994)
- ◆ Guide to the JCT Standard Form of Building Contract 1980 Edition Local Authorities (as amended)
- ◆ Guide to the JCT Standard Form of Building Contract with contractor's design January 1981 edition (as amended)
- ◆ Guide to the JCT Intermediate Form of Building Contract for works of simple content 1984 edition (as amended).

Agreement guides:

- ◆ Guide to the Agreement for the appointment of architects, surveyors and engineers for commissions in the NHS (1995 Edition).
- ◆ Guide to the Agreement for the appointment of project managers for commissions in the NHS (1995 Edition).

FURTHER COPIES

Further copies of all of the foregoing documents are available from The Stationery Office.