

SCOTTISH EXECUTIVE DEVELOPMENT DEPARTMENT
TRANSPORT AND PLANNING GROUP – TRUNK ROAD DIVISIONS
MANUAL OF CONTRACT DOCUMENTS FOR HIGHWAY WORKS (MCHW)
VOLUME 0: SECTION 1: MODEL CONTRACT DOCUMENT FOR HIGHWAY
WORKS
PART 3: MODEL CONTRACT DOCUMENT FOR HIGHWAY WORKS (For use in
Scotland) - August 1994
SEDD INTERIM AMENDMENT NO 13

INTRODUCTION

With the introduction of contract arrangements for the management and maintenance of the trunk road network in Scotland and an increasing involvement of public-private partnerships at various levels in trunk road contracts, a need has arisen to clarify how and to what degree local government organisations may act in a sub-contracting role within the context of such work. The Local Authorities (Goods and Services) Act 1970 enables local authorities to supply goods and services (subject to certain restrictions) to other local authorities and to public bodies. Public bodies means persons or descriptions of persons appearing to the Scottish Ministers to be exercising functions of a public nature. Whilst a first Order applicable to Scotland made under section 1(5) of the 1970 Act was made in 1978 and specified the appropriate contemporary public bodies in Scotland, a second more recent Order now specifies trunk road contractors as public bodies in Scotland also. Accordingly, the Instructions for Tendering within the Model Contract Document require to be amended.

AMENDMENT

1. On page x of 'Instructions for Tendering', in paragraph 25, sub-paragraph (i) should be deleted and replaced by the following:-

Tenderers should be aware that, within the Local Authorities (Goods and Services) Act 1970 in its application to Scotland, public bodies are persons or descriptions of persons appearing to the Scottish Ministers to be exercising functions of a public nature. Under The Local Authorities (Goods and Services) (Public Bodies) (Scotland) Order 2000, trunk road contractors are catered for within this definition.

ENQUIRIES/

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These should be addressed to:-

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September 2000