

## Annex A

### **1. (A9 P12 Procurement PIN) – A9 DUALLING PROGRAMME – TOMATIN TO MOY – PUBLICATION OF PRIOR INFORMATION NOTICE – 18 February 2021**

[Redacted]  
Transport  
Scotland  
Head of A9 Dualling Programme  
Delivery  
Major Projects  
18 February  
2021

Cabinet Secretary for Transport, Infrastructure and Connectivity

### **A9 DUALLING PROGRAMME – TOMATIN TO MOY – PUBLICATION OF PRIOR INFORMATION NOTICE**

#### **Purpose**

1. You are invited to agree that a Prior Information Notice (PIN) for the £115m – [Redacted] A9 Dualling: Tomatin to Moy project will be published through the Public Contracts Scotland Portal following the publication of Made Orders on 26th February 2021, marking the first step in the procurement process.

#### **Priority**

2. Routine.

#### **Background**

3. The Tomatin to Moy project is the most northerly section in the A9 Dualling Programme. The project involves approximately six miles (9.6km) of online widening of existing single carriageway to an all-purpose dual carriageway, extending from existing dual carriageways to the south of Tomatin and to the north of Moy. The project includes provision of four new major structures and non-motorised user provision and connections to public transport infrastructure.

4. Progressing this section next has a number of advantages: it connects with two existing dualled sections of the A9, providing a continuous dual carriageway of approximately 33km (20 miles) south of Inverness. It also means that, with the Luncarty to Pass of Birnam project currently under construction at the southern extent, the distribution of work and investment across the Programme will be geographically balanced and help to deflect any criticism of north/south bias.

5. Made Orders are due to be published on Friday 26 February 2021. This triggers a challenge period, after which, if there are no objections or representations to the Made Orders, the statutory process is complete. Thereafter acquisition of necessary land to be undertaken, by way of a General Vesting Declaration (GVD), is envisaged to take place in June 2021.

## Programme and Next Steps

6. Our intention is to immediately follow the publication of Made Orders with the publication of a Prior Information Notice (PIN) on 26th February 2021, which signals our intention to start procurement. Publication of a PIN:

- marks the first step in the procurement process;
- demonstrates a strong commitment to delivery of the project following the publication of Made Orders; and
- gives the construction industry early notice of our intention to publish a Contract Notice for the project in Spring.

7. [Redacted]

8. A Contract Notice will be published on the Public Contracts Scotland Portal. We currently anticipate that this will happen in, late May 2021, pending the lifting of Covid-19 restrictions (see 7 above).

## Financial Implications

9. The total investment in the project is expected to be in the region of [Redacted], of which £115m -[Redacted] is the expected value range of the construction contract. It also includes other costs such as risk, contingencies, preparation, utilities and land.

## Recommendation

16. You are invited to:

- Agree that a Prior Information Notice for the A9 Dualling: Tomatin to Moy project will be published through the Public Contracts Scotland Portal immediately following the publication of Made Orders on 26th February 2021 marking the first step in the procurement process; and,

[Redacted]

[Redacted]

Transport Scotland  
Head of A9 Dualling Programme Delivery  
Major Projects  
18 February 2021

Copy List:	For Action	For Comments	For Information		
			Portfolio Interest	Constit Interest	General Awareness



Thanks

[Redacted]

[Redacted] | Deputy Private Secretary to Michael Matheson MSP, Cabinet Secretary for Transport, Infrastructure and Connectivity  
The Scottish Government | St Andrew's House, Edinburgh, EH1 3DG |  
**Tel:** [Redacted] **BB:** [Redacted] | **Email:** [Redacted]

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From:[Redacted]

Sent:Thursday,February25,20214:28PM

To: Project Delivery Correspondence [Redacted] Cabinet Secretary for Transport, InfrastructureandConnectivity:[Redacted]

Cc: Chief Executive Transport Scotland :[Redacted]; Transport Scotland Directors :[Redacted]Transport Scotland Secretariat :[Redacted]; DG Economy:[Redacted]CommunicationsEconomy :[Redacted]Press Transport Scotland :[Redacted]; [Redacted] [Redacted] [Redacted] [Redacted] [Redacted] [Redacted] [Redacted] [Redacted] [Redacted] [Redacted] [Redacted] [Redacted] [Redacted]

Subject: RE: A9 Dualling Programme – Tomatin To Moy – Publication of the Prior Information Notice (PIN)

Cabinet Secretary

As requested, please find attached a separate document with News Release previously included in this submission. We will ensure this is provided separately in future for ease of reference.

Also copied below is the Communications Handling section from the submission.

[Redacted]

[Redacted]

[Redacted]

**From:** [Redacted] **On Behalf Of** Cabinet Secretary for Transport, Infrastructure and Connectivity

**Sent:** Monday, February 22, 2021 1:19 PM

**To:** Project Delivery Correspondence :[Redacted]; Cabinet Secretary for Transport, Infrastructure and Connectivity :[Redacted]

**Cc:** Chief Executive Transport Scotland :[Redacted]Transport Scotland Directors :[Redacted]Transport Scotland Secretariat :[Redacted]DG Economy :[Redacted]Communications Economy :[Redacted] [Redacted] Press Transport Scotland :[Redacted]Redacted [Redacted] [Redacted] [Redacted] [Redacted] [Redacted] [Redacted] [Redacted] [Redacted] [Redacted] [Redacted] [Redacted] [Redacted]



**3. (A9 Dualling T-M Proceed to Procurement Note) - A9 DUALLING PROGRAMME – TOMATIN TO MOY – PUBLICATION OF CONTRACT NOTICE – 29 July 2021**

[Redacted]

Transport  
Scotland  
A9 Dualling Delivery Team Leader  
Major Projects  
29 July 2021

Minister for Transport

**A9 DUALLING PROGRAMME – TOMATIN TO MOY – PUBLICATION OF CONTRACT NOTICE**

**Purpose**

1. You are invited to confirm that you are content that the A9 Dualling: Tomatin to Moy project proceeds to procurement stage with the publication of a Contract Notice for through the Public Contracts Scotland Portal.

**Priority**

2. Immediate. [Redacted]

**Background**

3. The A9 Dualling: Tomatin to Moy project is the most northerly section in the A9 Dualling Programme. The project will upgrade approximately six miles (9.5km) of existing single carriageway and wide single 2+1 carriageway to an all-purpose dual carriageway, extending from existing dual carriageways to the south of Tomatin and to the north of Moy. The project includes provision of two new major structures and four replacement structures with 10km of non-motorised user provision and connections to public transport infrastructure.

4. Progressing this section next has a number of advantages: it connects with two existing dualled sections of the A9, providing a continuous dual carriageway of approximately 33km (20 miles) south of Inverness. With the Luncarty to Pass of Birnam project currently under construction at the southern extent, the distribution of work and investment across the Programme will be geographically balanced and help to deflect any criticism of north/south bias. Further, the Tomatin to Moy section has little influence on how the remainder of the programme is delivered, should the remaining projects be packaged together. [Redacted]

5. Made Orders were published on 26th February 2021, with no challenges or representations made, allowing acquisition of land to commence by way of a General Vesting Declaration (GVD). GVD is currently envisaged to be complete on 1 September 2021.

6. A Prior Information Notice (PIN) was published on the Public Contracts Scotland portal on the 26th May 2021. As of July 2021, 71 formal notes of interest have been submitted, 14 of which are considered to be major tier 1 Contractors capable of delivering the project individually or as part of a joint venture/consortium, indicating strong market interest in the project.

7. Further to our briefing dated 22 July 2021 and your acknowledgement to proceed, the project has obtained approval from the Investment Decision Maker (IDM) to proceed to procurement. The Deputy First Minister has also confirmed he is content to proceed following a briefing note dated 28 July 2021. [Redacted]

### **Programme and Next Steps**

8. [Redacted]

9. [Redacted]

10. [Redacted]we intend to publish a Contract Notice on the Public Contracts Scotland portal, which commences the formal procurement process by inviting the market to prequalify to take part in the procurement competition.

11. [Redacted]

12. [Redacted]

13. [Redacted]

### **Financial Implications**

The total investment in the project is expected to be in the region of [Redacted] which includes other costs such as risk, contingencies, preparation, utilities and land. Of the total project cost, £115m- [Redacted]is the expected range of the construction contract value.

14. [Redacted]

[Redacted]

### **Recommendation**

15. You are invited to:

- Confirm that we can proceed to procurement with the publication of a Contract Notice for the A9 Dualling: Tomatin to Moy project through the Public Contracts Scotland Portal immediately following the Industry Information Event which is currently planned to take place 16<sup>th</sup> -19<sup>th</sup> August.
- [Redacted]

[Redacted]  
Transport Scotland  
A9 Dualling Delivery Team Leader  
Major Projects





[Redacted]

Mr Dey is content and asked that I pass on his thanks for this work.

Thanks

[Redacted]

[Redacted]

Private Secretary to the Minister for Transport – Graeme Dey  
The Scottish Government | St Andrew's House, Edinburgh, EH1 3DG |

**Tel:** [Redacted] **BB:** [Redacted] | **Email:** [Redacted]

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**From:** [Redacted]

Sent: Thursday, July 29, 2021 12:09 PM

**To:** Minister for Transport :[Redacted]

**Cc:** Deputy First Minister and Cabinet Secretary for Covid Recovery :[Redacted]; Cabinet Secretary for Net Zero, Energy and Transport :[Redacted]; Chief Executive Transport Scotland :[Redacted]; Transport Scotland Directors :[Redacted]TS Corporate Correspondence Support Team :[Redacted]DG Economy :[Redacted]Communications Finance & Economy :[Redacted]Press Transport Scotland :[Redacted]>;

[Redacted][Redacted][Redacted][Redacted][Redacted][Redacted][Redacted][Redacted][Redacted][Redacted][Redacted][Redacted][Redacted] 'Project Delivery Correspondence (:[Redacted]:[Redacted] [Redacted]

**Subject:** IMMEDIATE - A9 Dualling - Tomatin to Moy - Briefing to Minister for Transport - Proceed to Procurement - 29 July 2021

PS/Minister,

Please see the attached briefing note. You are invited to confirm that you are content that the A9 Dualling: Tomatin to Moy project proceeds to procurement stage with the publication of a Contract Notice for through the Public Contracts Scotland Portal.

An early response would be much appreciated.

Many Thanks,

[Redacted]

[Redacted]

**Project Delivery**

MTRIPS Construction Branch

Currently working from home – please contact [Redacted]

[transport.gov.scot](http://transport.gov.scot)

Transport Scotland, Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF

Transport Scotland, the national transport agency

**From:** [Redacted] **On Behalf Of** Project Delivery Correspondence

**Sent:** Friday, July 23, 2021 12:18 PM

**To:** Minister for Transport :[Redacted]

**Cc:** Cabinet Secretary for Net Zero, Energy and Transport :[Redacted]Chief Executive Transport Scotland :[Redacted]>; Director Major Projects :[Redacted]>; Gillies H (Hugh) :[Redacted]>; [Redacted]

[Redacted][Redacted][Redacted][Redacted]

Irvine A (Alison) :[Redacted] [Redacted]

Project Delivery Correspondence :[Redacted]

**Subject:** A9 Dualling - Tomatin to Moy - Briefing to Minister for Transport - Proceed to Procurement

PS/ Minister for Transport

To update regarding the above.

The above briefing will not be issued to the Minister before Monday 26 July as further advice is to be issued to the Minister for Transport and the Cabinet Secretary for Net Zero, Energy and Transport in relation to the ongoing discussions with the Green Party.

Thanks, [Redacted]

## **5. Extract from Briefing: Tomatin to Moy – Procurement Advice Note) – 28 July 2021**

### **Purpose**

1. To obtain agreement of the Deputy First Minister, further to agreement from the Minister for Transport and the Cabinet Secretary for Net Zero, Energy and Transport as to whether to proceed with the procurement of the Tomatin to Moy project at this time or a preferred future date.

## **Background**

4. The A9 Dualling: Tomatin to Moy project is the most northerly section in the A9 Dualling Programme and has obtained approval from the Investment Decision Maker to proceed to procurement. The project will upgrade approximately six miles (9.5km) of existing single carriageway and wide single 2+1 carriageway to an all-purpose dual carriageway, extending from existing dual carriageways to the south of Tomatin and to the north of Moy.

5. The A9 Dualling: Tomatin to Moy project is prepared to proceed to procurement, and subject to formal Ministerial approval the next step will be to hold a [Redacted] and, after which, publish the Contract Notice.

## *Business Case*

14. Taken in isolation, the Tomatin to Moy project OBC is weak and is reliant on the programme business case to provide the rationale for investment. There are risks of challenge in terms of process in proceeding with this section now, while work to refresh the programme business case is underway. These risks are mainly reputational but are worthy of note.

15. The Tomatin to Moy Full Business Case (FBC) will be prepared following selection of the successful tenderer and prior to the contract award, which is expected in the second half of 2022. This FBC will consider the refreshed case for investment which will be included in the A9 Dualling Programme OBC. It is at this point that the actual decision to proceed with construction will be made in accordance with Transport Scotland's governance processes and to be approved by Ministers.

Paragraphs 16 - 32 [Redacted]

## **Recommendation**

33. You are invited to:

- [Redacted]
- confirm your agreement that Transport Scotland should proceed with the procurement of the Tomatin to Moy project at this time.
- [Redacted]
- [Redacted]

[Redacted]  
Transport Scotland  
Head of A9 Dualling Delivery Team  
Project Delivery  
Major Projects  
28 July 2021



