

United Kingdom-Birmingham: Construction work

OJ S 6/2019 09/01/2019

Contract notice

Works

Legal Basis:

Directive 2014/24/EU

Section I: Contracting authority

I.1. Name and addresses

Official name: Sandwell and West Birmingham Hospitals NHS Trust – Midlands Metropolitan Hospital

Postal address: Old Management Block, City Hospital, Dudley Road

Town: Birmingham

NUTS code: UK United Kingdom

Postal code: B18 7QH

Country: United Kingdom

Contact person: Project office for the attention of Warren Grigg

E-mail: mmh.projectoffice@nhs.net

Telephone: +44 1215075566

Internet address(es):

Main address: <http://swbh.nhs.net>

Address of the buyer profile: www.nhssourcing.co.uk/web/login.shtml

I.3. Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at: www.nhssourcing.co.uk/web/login.shtml

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted electronically via: www.nhssourcing.co.uk/web/login.shtml

Tenders or requests to participate must be submitted to the abovementioned address

I.4. Type of the contracting authority

Body governed by public law

I.5. Main activity

Health

Section II: Object

II.1. Scope of the procurement

II.1.1. Title

Replacement Construction Contract for the Midland Metropolitan Hospital

II.1.2. Main CPV code

45000000 Construction work

II.1.3. Type of contract

Works

II.1.4. Short description

The Trust wishes to enter into a contract for the construction of the Midland Metropolitan Hospital under a NEC 4 Contract, with a construction company experienced in acute hospital construction.

II.1.5. Estimated total value

Value excluding VAT: 267 000 000,00 GBP

II.1.6. Information about lots

This contract is divided into lots: no

II.2. Description

II.2.2. Additional CPV code(s)

45200000 Works for complete or part construction and civil engineering work

II.2.3. Place of performance

NUTS code: UK United Kingdom

NUTS code: UKG West Midlands (England)

II.2.4. Description of the procurement

In December 2015 Sandwell and West Birmingham Hospitals NHS Trust signed a PF2 contract with The Hospital Company (Sandwell) Ltd (“THC”) to design, fund, build and maintain a new acute hospital in Smethwick – The Midland Metropolitan Hospital. In January 2018 THC’s construction contractor (Carillion Construction Ltd) was liquidated. The project agreement with THC was consensually terminated on 20.7.2018.

On 5 October the Trust entered into an Early Works Contract with Balfour Beatty Construction Ltd following a procurement process, in order to manage the site and prevent further dilapidation until the construction arrangements for the new hospital could be re-procured.

The Trust is now looking to appoint a contractor for the construction of the Midland Metropolitan Hospital under a NEC 4 Contract. The detailed Scope is set out within the Contract documents. Key points to note are set out below.

Design and Construction Responsibility

There are a number of Works packages where the Trust requests that Tenderers assume full design and construction responsibility. These packages of work will be collectively referred to as the “D&C Works” and shall include:

(a) Mechanical, Electrical and Public Health Engineering (MEP),

(b) Internal Fit-out (for the avoidance of doubt, “internal” includes any covered space – including the Winter Garden, Courtyard 7, Energy Centres and Car Parks). Clinical functionality design liability resides with the Trust,

(c) Hard and Soft Landscaping,

(d) other specific elements of the Works:

— courtyards 1 & 2 “HALO’s”,

— drainage attenuation tanks,

— (Include any further items highlighted and agreed between the Contractor and The Trust during the tender process).

For packages of works not included within D&C Works (above) the Trust is not seeking for tenderer’s to assume any design risk. These remaining works packages will be collectively referred to as the “Build Only Works”.

Pricing

During the dialogue process tenderers are required to develop an aggregate contractor price, comprising price elements, a contingency schedule, Fee (a variable percentage fee as defined

under the contract) and a risk management payment. The Trust has specified a “Not to be Exceeded Price” of 320 000 000 GBP (inc. VAT) in the ITPD. The aggregate Contractor price submitted as part of the final tender must not be greater than this not to be exceeded price. During the preferred bidder phase the Trust will work collaboratively with the preferred bidder to increase outcome-certainty on those items on the contingency schedule and to mitigate cost exposure to the project. As clarity is achieved, the revised costs for each item will crystallise and be re-allocated from the contingency schedule into the price elements. At the end of the preferred bidder stage, the balance of the contingency Schedule will be liquidated, with any remaining items (and their associated values) moving across to the price elements which becomes the activity Schedule for use within the construction phase.

For the avoidance of doubt, the aggregate Contractor price will not increase during the preferred bidder stage and the contract mechanism will only accommodate reduction. Similarly, the fee or the risk management payment will not increase during the preferred bidder phase. The saving generated by this reduction will be shared on a 50:50 basis with the preferred bidder. This gainshare will be added to, and treated in the same manner as, the risk management payment. This gainshare sum is not subject to a cap (as is that within the subsequent construction phase).

II.2.5. Award criteria

Price is not the only award criterion and all criteria are stated only in the procurement documents

II.2.6. Estimated value

Value excluding VAT: 267 000 000,00 GBP

II.2.7. Duration of the contract, framework agreement or dynamic purchasing system

Start: 28/10/2019 End: 31/12/2021

This contract is subject to renewal: no

II.2.9. Information about the limits on the number of candidates to be invited

Envisaged number of candidates: 3 Objective criteria for choosing the limited number of candidates:

As detailed in the procurement documents.

II.2.10. Information about variants

Variants will be accepted: no

II.2.11. Information about options

Options: no

II.2.13. Information about European Union funds

The procurement is related to a project and/or programme financed by European Union funds: no

II.2.14. Additional information

Section III: Legal, economic, financial and technical information

III.1. Conditions for participation

III.1.1. Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers

List and brief description of conditions:

See procurement documents.

III.1.2. Economic and financial standing

List and brief description of selection criteria:

There is a minimum turnover requirement of 534 000 000 GBP per annum.

III.1.3. Technical and professional ability

Selection criteria as stated in the procurement documents

III.2. Conditions related to the contract

III.2.2. Contract performance conditions

See procurement documents.

Section IV: Procedure

IV.1. Description

IV.1.1. Type of procedure

Competitive dialogue

IV.1.3. Information about a framework agreement or a dynamic purchasing system

IV.1.4. Information about reduction of the number of solutions or tenders during negotiation or dialogue

Recourse to staged procedure to gradually reduce the number of solutions to be discussed or tenders to be negotiated

IV.1.8. Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: yes

IV.2. Administrative information

IV.2.1. Previous publication concerning this procedure

Notice number in the OJ S: [2018/S 190-428768](#)

IV.2.2. Time limit for receipt of tenders or requests to participate

Date: 06/02/2019 Local time: 13:00

IV.2.3. Estimated date of dispatch of invitations to tender or to participate to selected candidates

Date: 22/02/2019

IV.2.4. Languages in which tenders or requests to participate may be submitted

English

IV.2.6. Minimum time frame during which the tenderer must maintain the tender

Duration in months: 12 (from the date stated for receipt of tender)

Section VI: Complementary information

VI.1. Information about recurrence

This is a recurrent procurement: no

VI.3. Additional information

The procurement process will be conducted electronically using an online portal system for all communications (including clarifications raised, clarification responses, general communication and Tender submission).

The Trust has chosen to use BravoSolution to manage the on-line procurement process for the Contract. BravoSolution is a provider of eTendering software used extensively in the UK Public Sector for major capital investment and other procurement projects.

Tenderers must submit all documents comprising the tender electronically via the BravoSolution, the address of which is www.nhssourcing.co.uk/web/login.shtml (“the Portal”).

To assist the process for the return of your tender via the Portal, Tenderers are required to register on the Portal using the “Register Here” link.

Once registered the tenderer will be able to access the Portal and current versions of the procurement documents (which the Trust may update throughout the process) comprising:

- SQ Instructions,
- SQ Questions,
- Selection Methodology,
- ITPD,
- ITPD Appendix 1 – Dialogue Process,
- ITPD Appendix 2 – Contract (including Scope and Parent Company Guarantee),
- ITPD Appendix 3 – Bid Deliverables,
- ITPD Appendix 4 – Pricing Framework and Guidance Notes,
- ITPD Appendix 5 – Pre Close Dialogue Certificate,
- ITPD Appendix 6 – Certificate of Acceptance of Contract,
- ITPD Appendix 7 – Tender Certificate,
- ITPD Appendix 8 – Evaluation Methodology.

VI.4. Procedures for review

VI.4.1. Review body

Official name: Sandwell and West Birmingham Hospitals NHS Trust

Postal address: Old Management Block, City Hospital, Dudley Road

Town: Birmingham

Postal code: B18 7QH

Country: United Kingdom

E-mail: mmh.projectoffice@nhs.net

Telephone: +44 1215075566

VI.5. Date of dispatch of this notice

07/01/2019