

UK-London: Construction work for subsidised residential accommodation

OJ S 52/2013 14/03/2013

Contract notice

Works

Directive 2004/18/EC

Section I: Contracting authority

I.1. Name and addresses

Official name: Ealing Council

Postal address: Perceval House, 14-16 Uxbridge Road, Ealing

Town: London

Postal code: W5 2HL

Country: United Kingdom

Contact person: Housing & Regeneration

For the attention of: Wendy Stokes

E-mail: smallsitespackage@ealing.gov.uk

Telephone: +44 2088255005

Internet address(es):General address of the contracting authority: <http://www.ealing.gov.uk>Address of the buyer profile: http://www.ealing.gov.uk/info/200095/tenders_and_contracts**Additional information can be obtained from:**

Official name: Ealing Council

Postal address: Perceval House, 14-16 Uxbridge Road

Town: Ealing, London,

Postal code: W5 2HL

Country: United Kingdom

Contact person: Housing & Regeneration

For the attention of: Ms Wendy Stokes

E-mail: smallsitespackage@ealing.gov.uk

Telephone: +44 2088255005

Internet address: <http://www.ealing.gov.uk>**Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained from:**

Official name: Ealing Council

Postal address: Perceval House, 14-16 Uxbridge Road

Town: Ealing, London,

Postal code: W5 2HL

Country: United Kingdom

Contact person: Housing & Regeneration

For the attention of: Ms Wendy Stokes

E-mail: smallsitespackage@ealing.gov.uk

Telephone: +44 2088255005

Internet address: <http://www.ealing.gov.uk>**Tenders or requests to participate must be submitted:** Official name: Ealing Council

Postal address: Perceval House, 14-16 Uxbridge Road

Town: Ealing, London,

Postal code: W5 2HL

Country: United Kingdom
For the attention of: Strategic Procurement
Telephone: +44 2088255005
Internet address: <http://www.ealing.gov.uk>

I.2. Type of the contracting authority

Regional or local authority

I.3. Main activity

Housing and community amenities

I.4. Contract award on behalf of other contracting authorities

The contracting authority is purchasing on behalf of other contracting authorities: no

Section II: Object of the contract

II.1. Description

II.1.1. Title attributed to the contract by the contracting authority

Ealing Small Sites Development Opportunity in Partnership with Ealing Council.

II.1.2. Type of contract and place of performance or delivery

Works

Design and execution

Main site or place of performance: London Borough of Ealing.

NUTS code UKI23 Outer London - West and North West

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

The notice involves a public contract

II.1.4. Information about framework agreement

II.1.5. Short description of the contract or purchase(s)

The London Borough of Ealing ("the Council") has identified a number of sites owned by the Council which could be developed to provide new housing. The sites, up to 28 in total subject to on-going due diligence by the Council, range in size and location and allow for as few as 1 house up to 40+ housing units per site to be developed. Projections undertaken to date indicate that a minimum of 100 residential units and up to as many as 225 units, are possible across all sites, subject to whether houses or flats are built and subject to the provision of amenity spaces required by statutory and funding authorities.

The Council's primary objective is to increase the stock of Council owned and managed social housing, with a strong preference for family units (3 Bedrooms/5 person and above) for the purposes of re-housing families displaced by estate regeneration developments within the Borough. Given the Council's financial constraints, any proposal to maximise the number of new affordable housing units must be self-financing. The project therefore requires that the successful bidder, or consortia, (herein 'the Developer') develops the sites providing residential units for private sale and affordable (or 'social') housing, with the need for the Developer's receipts to cross subsidise the cost of developing the Council owned affordable residential units. Subject to the precise terms of the Contract (comprising a Sale and Development Agreement (SaDA)) and any capital receipt for the Council and agreed with the Council, it is the intention of the Council to permit the Developer to retain all units constructed for the purposes of being their own asset and retain all profits arising from any sale/lease associated with those units. For sites comprising entirely the Developer's private units, it is the intention,

again subject to the Contract terms, to transfer the ownership (freehold) of the land to the Developer without condition notwithstanding all statutory and civil requirements. Land /properties comprising affordable housing will be retained by the Council.

Accordingly, the Council is now preparing to invite tenders from Developers who are able to approach the project as a whole with the view to committing to the delivery of the maximum number of Council owned affordable housing units, especially family units. The proximity of some of the sites and the overall limited range in size, coupled with the fact that as individual sites standard planning policy would naturally generate little affordable housing, supports an approach to the develop the sites jointly.

The development and construction risk will be taken by the Developer, notwithstanding obligations of both a contractual and statutory nature upon the Council and the clear intention of the Council to enter agreement with the Developer on a partnership basis.

The Developer should be prepared to present their approach in respect of financial viability and be able to display innovation, particular in respect of multiple site development and overcoming complex development obstacles. Flexible solutions for the Development will actively be encouraged so that the 'final' development meets the requirements of the Council. Financial criteria affecting the eligibility of Developers to qualify for the tender stage will be orientated around whether the Developer has sufficient financial standing to undertake a project of this size and complexity. To this end, PQQ Technical Capability will be evaluated primarily on the experience of the Developer in relation to projects of a similar scale and complexity. Where the Developer comprises a consortium, the Council will in addition be seeking evidence of experience of working as a team and clear explanation as to the mechanisms that will be put in place to ensure consistency and quality in the event that consortium members change.

Developers will be provided with as much site information as possible during the tender stage in order to give confidence that any obvious barriers to development are identified and/or removed. Developers should note that one of the key delivery risks is the need to obtain planning permission in respect of each of the sites involved. The Council will assist insofar as is practicably possible and will ensure provisions are in place within the SaDA.

Developers must note that the Council and any consultant acting on behalf of the Council in connection with this procurement opportunity expressly waives all or any liability for any costs incurred by Developers in connection with the preparation of their bids.

Developers by requesting the PQQ documentation and participating in the procurement process at any stage, wholly accept that the Council reserves the right in accordance with the procurement regulations governing this process, to change the basis and/or procedures for selecting Developers, including terminating and/or deferring the procurement process, without prior notice and without liability to the Developers for any costs or expenses incurred as a result of participating in this procurement process.

In the event that this procurement process does not derive a suitable Developer to undertake the work set out in this Notice, the PQQ or the Tender (ITT) documents the Council expressly reserves the right to carry out an alternative procurement process involving all, some or none of the Developers who participate in this process or elect not to participate in this process, without any need to publish a further Notice or Notices set out in the Public Procurement Regulations.

Developers who wish to express an interest in this opportunity and request the PQQ documents, must email smallsitespackage@ealing.gov.uk with the subject title of the email 'Ealing Small Sites Expression of Interest', or similar alternative.

II.1.6. CPV code(s)

45215210 Construction work for subsidised residential accommodation, 45215214 Residential homes construction work, 45210000 Building construction work, 45211350 Multi-functional buildings construction work, 45211300 Houses construction work, 45211341 Flats construction work

II.1.7. Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: yes

II.1.8. Lots

This contract is divided into lots: no

II.1.9. Information about variants

Variants will be accepted: no

II.2. Scope of the procurement

II.2.1. Total quantity or scope

Please refer to the Short Description section for details.

II.2.2. Information about options

Options: no

II.2.3. Information about renewals

This contract is subject to renewal: no

II.3. Duration of the contract or time limit for completion

Section III: Legal, economic, financial and technical information

III.1. Conditions related to the contract

III.1.1. Deposits and guarantees required

III.1.2. Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them

Main terms of finance and payment will be set out under the Sale and Development Agreement documents which will be available as part of the invitation to tender documents.

III.1.3. Legal form to be taken by the group of economic operators to whom the contract is to be awarded

Bidders will be required to clearly stipulate as part of their PQQ submission whether whole or part of any consortia formed will act either jointly, or joint and severally liable.

III.1.4. Contract performance conditions

The performance of the contract is subject to particular conditions: yes

Description of particular conditions: Particular conditions are set out within the PQQ and ITT documentation.

III.2. Conditions for participation

III.2.1. Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers

List and brief description of conditions: (1) All candidates will be required to produce a certificate or declaration demonstrating that they are not bankrupt or the subject of an

administration order, are not being wound-up, have not granted a trust deed, are not the subject of a petition presented for sequestration of their estate, have not had a receiver, manager or administrator appointed and are not otherwise apparently insolvent.

(2) All candidates will be required to produce a certificate or declaration demonstrating that the candidate, their directors, or any other person who has powers of representation, decision or control of the candidate has not been convicted of conspiracy, corruption, bribery, or money laundering. Failure to provide such a declaration will result in the candidate being declared ineligible and they will not be selected to participate in this procurement process.

(3) All candidates will be required to produce a certificate or declaration demonstrating that they have not been convicted of a criminal offence relating to the conduct of their business or profession.

(4) All candidates will be required to produce a certificate or declaration demonstrating that they have not committed an act of grave misconduct in the course of their business or profession.

(5) All candidates must comply with the requirements of the State in which they are established, regarding registration on the professional or trade register.

(6) Any candidate found to be guilty of serious misrepresentation in providing any information required, may be declared ineligible and not selected to continue with this procurement process.

(7) All candidates will have to demonstrate that they are licensed, or a member of the relevant organisation, in the State where they are established, when the law of that State prohibits the provision of the services, described in this notice, by a person who is not so licensed or who is not a member of the relevant organisation.

(8) All candidates will be required to produce a certificate or declaration demonstrating that they have fulfilled obligations relating to the payment of social security contributions under the law of any part of the United Kingdom or of the relevant State in which the candidate is established.

(9) All candidates will be required to produce a certificate or declaration demonstrating that they have fulfilled obligations relating to the payment of taxes under the law of any part of the United Kingdom or of the relevant State in which the economic operator is established.

III.2.2. Economic and financial ability

List and brief description of conditions: (1) All candidates will be required to provide a reference from their bank.

(2) All candidates will be required to provide evidence of relevant professional risk indemnity insurance.

(3) All candidates will be required to provide a statement, covering the 3 previous financial years including the overall turnover of the candidate and the turnover in respect of the activities which are of a similar type to the subject matter of this notice.

(4) All candidates will be required to provide statements of accounts or extracts from those accounts relating to their business.

Bidders will be required to complete a submission consistent with the provisions of Directive 2004/18/EC with the minimum levels required set out in the PQQ.

III.2.3. Technical and professional ability

List and brief description of conditions:

All bidders will be asked to confirm that none of the conditions set out in Article 45 of Directive 2004/18/EC apply to their organisation or expression of interest. The PQQ will set out in detail the required technical capacities of all bidders.

III.2.4. Information about reserved contracts

III.3. Conditions specific to services contracts

III.3.1. Information about a particular profession

III.3.2. Information about staff responsible for the performance of the contract

Section IV: Procedure

IV.1. Type of procedure

IV.1.1. Type of procedure

Restricted

IV.1.2. Information about the limits on the number of candidates to be invited

Envisaged minimum number 5: and Maximum number 30

Objective criteria for choosing the limited number of candidates: Please see the PQQ documentation which is available via contacting smallsitespackage@ealing.gov.uk

IV.1.3. Information about reduction of the number of solutions or tenders during negotiation or dialogue

IV.2. Award criteria

IV.2.1. Award criteria

The most economically advantageous tender in terms of Price is not the only award criterion and all criteria are stated only in the procurement documents

IV.2.2. Information about electronic auction

An electronic auction will be used: no

IV.3. Administrative information

IV.3.1. File reference number attributed by the contracting authority

987

IV.3.2. Previous publication concerning this procedure

IV.3.3. Conditions for obtaining specifications and additional documents or descriptive document

IV.3.4. Time limit for receipt of tenders or requests to participate

22.4.2013 - 12:00

IV.3.5. Estimated date of dispatch of invitations to tender or to participate to selected candidates

3.6.2013

IV.3.6. Languages in which tenders or requests to participate may be submitted

English.

IV.3.7. Minimum time frame during which the tenderer must maintain the tender

IV.3.8. Conditions for opening of tenders

Section VI: Complementary information

VI.1. Information about recurrence

VI.2. Information about European Union funds

VI.3. Additional information

Please note that the deadline for all Pre-Qualification Questionnaire submissions is 12 Noon on Monday 22nd April 2013.

(MT Ref:101976)

VI.4. Procedures for review

VI.4.1. Review body

VI.4.2. Review procedure

VI.4.3. Service from which information about the review procedure may be obtained

VI.5. Date of dispatch of this notice

12.3.2013