

United Kingdom-Huddersfield: Various surface works

OJ S 65/2016 02/04/2016

Contract notice

Works

Legal Basis:

Directive 2014/24/EU

Section I: Contracting authority

I.1. Name and addresses

Official name: The Council of the Borough of Kirklees

Postal address: The Town Hall, Ramsden Street

Town: Huddersfield

NUTS code: UKE Yorkshire and the Humber

Postal code: HD1 2TA

Country: United Kingdom

Contact person: Beverley Martin, Darren Pickering

E-mail: highways.contracts@kirklees.gov.uk

Telephone: +44 1484221000

Internet address(es):

Main address: <http://www.kirklees.gov.uk>

I.1. Name and addresses

Official name: Leeds City Council

Postal address: Civic Hall, Calverley Street

Town: Leeds

NUTS code: UKE Yorkshire and the Humber

Postal code: LS1 1UR

Country: United Kingdom

Contact person: Beverley Martin or Darren Pickering

E-mail: highways.contracts@kirklees.gov.uk

Telephone: +44 1484221000

Internet address(es):

Main address: <http://www.leeds.gov.uk>

I.1. Name and addresses

Official name: City of Bradford Metropolitan District Council

Postal address: City Hall, Channing Way

Town: Bradford

NUTS code: UKE Yorkshire and the Humber

Postal code: BD1 1HY

Country: United Kingdom

Contact person: Beverley Martin or Darren Pickering

E-mail: highways.contracts@kirklees.gov.uk

Telephone: +44 1484221000

Internet address(es):

Main address: <http://www.bradford.gov.uk>

I.1.

Name and addresses

Official name: City of Wakefield Metropolitan District Council

Postal address: Town Hall, Wood Street

Town: Wakefield

NUTS code: UKE Yorkshire and the Humber

Postal code: WF1 2HQ

Country: United Kingdom

Contact person: Beverley Martin or Darren Pickering

E-mail: highways.contracts@kirklees.gov.uk

Telephone: +44 1484221000

Internet address(es):

Main address: <http://www.wakefield.gov.uk>

I.1. Name and addresses

Official name: The Borough of Calderdale Council

Postal address: Town Hall, Crossley Street

Town: Halifax

NUTS code: UKE Yorkshire and the Humber

Postal code: HX1 1UJ

Country: United Kingdom

Contact person: Beverley Martin or Darren Pickering

E-mail: highways.contracts@kirklees.gov.uk

Telephone: +44 1484221000

Internet address(es):

Main address: <http://www.calderdale.gov.uk>

I.1. Name and addresses

Official name: City of York Council

Postal address: Hazel Court, James Street

Town: York

NUTS code: UKE Yorkshire and the Humber

Postal code: YO10 3DS

Country: United Kingdom

Contact person: Beverley Martin or Darren Pickering

E-mail: highways.contracts@kirklees.gov.uk

Telephone: +44 1484221000

Internet address(es):

Main address: <http://www.york.gov.uk>

I.2. Information about joint procurement

The contract involves joint procurement

I.3. Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at: <http://www.yortender.co.uk>

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted electronically via: <http://www.yortender.co.uk>

Tenders or requests to participate must be submitted to the following address:

Official name: Kirklees Council

Postal address: Tender Opening Officer, Physical Resources & Procurement, Procurement,
1st Floor, Civic Centre III, Market Street
Town: Huddersfield
Postal code: HD1 2TG
Country: United Kingdom
Contact person: Beverley Martin or Darren Pickering
E-mail: highways.contracts@kirklees.gov.uk
NUTS code: UKE Yorkshire and the Humber
Internet address(es):
Main address: <http://www.kirklees.gov.uk>

I.4. Type of the contracting authority

Regional or local authority

I.5. Main activity

General public services

Section II: Object

II.1. Scope of the procurement

II.1.1. Title

Surfacing and Planing Works West Yorkshire Contract, 1.7.2016-30.6.2018 with provision to extend for a further two years (1+1) until 30.6.2020 — KMCHS-206.

Reference number: A7XL-WDV6SP

II.1.2. Main CPV code

45233200 Various surface works

II.1.3. Type of contract

Works

II.1.4. Short description

The works will consist of Carriageway and Footway Surfacing Works together with other associated works and/or Cold Planing, replacement of roadmarkings and road studs on both highway and non-highway sites associated with those works, inclusive of the provision of labour, supervision, materials (including waste), temporary works, plant, traffic management, tipping, landfill tax and other charges, overhead charges and profit. The Contractor may price One, or More or All Lots. The locations will be within the administrative areas of City of Bradford Metropolitan District Council — Lot 1, The Borough of Calderdale Council — Lot 2, Kirklees Council — Lot 3, Leeds City Council — Lot 4, City of Wakefield District Council — Lot 5, City of York Council — Lot 6, and any other Local Authority (as defined in the Local Government Act 1972) within the Yorkshire and Humber Region. <http://local.direct.gov.uk/LDGRedirect/MapLocationSearch.do?mode=1.1&map=4>

II.1.5. Estimated total value

Value excluding VAT: 72 000 000,00 GBP

II.1.6. Information about lots

This contract is divided into lots: yes

Tenders may be submitted for all lots

The contracting authority reserves the right to award contracts combining the following lots or groups of lots:

City of Bradford Metropolitan District Council — Lot 1, The Borough of Calderdale Council — Lot 2, Kirklees Council — Lot 3, Leeds City Council — Lot 4, City of Wakefield Metropolitan District Council — Lot 5, City of York Council — Lot 6. There will be no limitation to the number of Lots to any one tenderer, maximum of 25 Contractors per Lot, refer to tender documents.

II.2. Description

II.2.1. Title

City of Bradford Metropolitan District Council — Surfacing and Planing Works West Yorkshire Contract — KMCHS-206
Lot No: 1

II.2.2. Additional CPV code(s)

45233200 Various surface works, 45233100 Construction work for highways, roads, 45233139 Highway maintenance work, 45233141 Road-maintenance works, 45233222 Paving and asphaltting works, 45233223 Carriageway resurfacing works, 45233251 Resurfacing works

II.2.3. Place of performance

NUTS code: UKE Yorkshire and the Humber

Main site or place of performance: Geographical area of Bradford, West Yorkshire.

II.2.4. Description of the procurement

The works will consist of Carriageway and Footway Surfacing Works together with other associated works and/or Cold Planing, replacement of roadmarkings and road studs on both highway and non-highway sites associated with those works, inclusive of the provision of labour, supervision, materials (including waste), temporary works, plant, traffic management, tipping, landfill tax and other charges, overhead charges and profit as well as the general liabilities, obligations and risks arising out of the conditions of contract.

The locations will be within the administrative areas of City of Bradford Metropolitan District Council — Lot 1.

The Contractor may price One, or More or All Lots as detailed at Section II, Paragraph II.1.4 of this Notice.

For the purposes of the Framework Agreement, all of the other Local Authorities shall hereafter be defined as the 'Contracting Authorities' for whom Kirklees Council will act as the Contract Administrator in relation to the Framework Agreement.

II.2.5. Award criteria

Criteria below

Price

II.2.6. Estimated value

Value excluding VAT: 10 000 000,00 GBP

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

Duration in months: 48

This contract is subject to renewal: yes

Description of renewals:

May be extended on two separate occasions (1 +1), total of two years until 30.6.2020.

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

II.2. Description

II.2.1. Title

The Borough of Calderdale Council — Surfacing and Planing Works West Yorkshire Contract — KMCHS-206
Lot No: 2

II.2.2. Additional CPV code(s)

45233200 Various surface works, 45233100 Construction work for highways, roads, 45233139 Highway maintenance work, 45233141 Road-maintenance works, 45233222 Paving and asphaltting works, 45233223 Carriageway resurfacing works, 45233251 Resurfacing works

II.2.3. Place of performance

NUTS code: UKE Yorkshire and the Humber
Main site or place of performance: Geographical area of Calderdale, West Yorkshire.

II.2.4. Description of the procurement

The works will consist of Carriageway and Footway Surfacing Works together with other associated works and/or Cold Planing, replacement of roadmarkings and road studs on both highway and non-highway sites associated with those works, inclusive of the provision of labour, supervision, materials (including waste), temporary works, plant, traffic management, tipping, landfill tax and other charges, overhead charges and profit as well as the general liabilities, obligations and risks arising out of the conditions of contract.

The locations will be within the administrative areas of The Borough of Calderdale Council — Lot 2.

The Contractor may price One, or More or All Lots as detailed at Section II, Paragraph II.1.4 of this Notice.

For the purposes of the Framework Agreement, all of the other Local Authorities shall hereafter be defined as the 'Contracting Authorities' for whom Kirklees Council will act as the Contract Administrator in relation to the Framework Agreement.

II.2.5. Award criteria

Criteria below
Price

II.2.6. Estimated value

Value excluding VAT: 2 000 000,00 GBP

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

Duration in months: 48

This contract is subject to renewal: yes

Description of renewals:

May be extended on two separate occasions (1 +1), total of two years until 30.6.2020.

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

II.2. Description

II.2.1. Title

Kirklees Council — Surfacing and Planing Works West Yorkshire Contract — KMCHS-206
Lot No: 3

II.2.2. Additional CPV code(s)

45233200 Various surface works, 45233100 Construction work for highways, roads, 45233139 Highway maintenance work, 45233141 Road-maintenance works, 45233222 Paving and asphaltting works, 45233223 Carriageway resurfacing works, 45233251 Resurfacing works

II.2.3. Place of performance

NUTS code: UKE Yorkshire and the Humber

Main site or place of performance: Geographical area of Kirklees, West Yorkshire.

II.2.4. Description of the procurement

The works will consist of Carriageway and Footway Surfacing Works together with other associated works and/or Cold Planing, replacement of roadmarkings and road studs on both highway and non-highway sites associated with those works, inclusive of the provision of labour, supervision, materials (including waste), temporary works, plant, traffic management, tipping, landfill tax and other charges, overhead charges and profit as well as the general liabilities, obligations and risks arising out of the conditions of contract.

The locations will be within the administrative areas of Kirklees Council — Lot 3.

The Contractor may price One, or More or All Lots as detailed at Section II, Paragraph II.1.4 of this Notice.

For the purposes of the Framework Agreement, all of the other Local Authorities shall hereafter be defined as the 'Contracting Authorities' for whom Kirklees Council will act as the Contract Administrator in relation to the Framework Agreement.

II.2.5. Award criteria

Criteria below

Price

II.2.6. Estimated value

Value excluding VAT: 28 000 000,00 GBP

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

Duration in months: 48

This contract is subject to renewal: yes

Description of renewals:

May be extended on two separate occasions (1 +1), total of two years until 30.6.2020.

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

II.2. Description

II.2.1. Title

Leeds City Council — Surfacing and Planing Works West Yorkshire Contract — KMCHS-206
Lot No: 4

II.2.2. Additional CPV code(s)

45233200 Various surface works, 45233100 Construction work for highways, roads, 45233139 Highway maintenance work, 45233141 Road-maintenance works, 45233222 Paving and asphaltting works, 45233223 Carriageway resurfacing works, 45233251 Resurfacing works

II.2.3. Place of performance

NUTS code: UKE Yorkshire and the Humber

Main site or place of performance: Geographical area of Leeds, West Yorkshire.

II.2.4. Description of the procurement

The works will consist of Carriageway and Footway Surfacing Works together with other associated works and/or Cold Planing, replacement of roadmarkings and road studs on both highway and non-highway sites associated with those works, inclusive of the provision of labour, supervision, materials (including waste), temporary works, plant, traffic management, tipping, landfill tax and other charges, overhead charges and profit as well as the general liabilities, obligations and risks arising out of the conditions of contract.

The locations will be within the administrative areas of Leeds City Council — Lot 4.

The Contractor may price One, or More or All Lots as detailed at Section II, Paragraph II.1.4 of this Notice.

For the purposes of the Framework Agreement, all of the other Local Authorities shall hereafter be defined as the 'Contracting Authorities' for whom Kirklees Council will act as the Contract Administrator in relation to the Framework Agreement.

II.2.5. Award criteria

Criteria below

Price

II.2.6. Estimated value

Value excluding VAT: 25 000 000,00 GBP

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

Duration in months: 48

This contract is subject to renewal: yes

Description of renewals:

May be extended on two separate occasions (1 +1), total of two years until 30.6.2020.

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

II.2. Description

II.2.1. Title

City of Wakefield Metropolitan District Council — Surfacing and Planing Works West Yorkshire Contract — KMCHS-206
Lot No: 5

II.2.2. Additional CPV code(s)

45233200 Various surface works, 45233100 Construction work for highways, roads, 45233139 Highway maintenance work, 45233141 Road-maintenance works, 45233222 Paving and asphaltting works, 45233223 Carriageway resurfacing works, 45233251 Resurfacing works

II.2.3. Place of performance

NUTS code: UKE Yorkshire and the Humber

Main site or place of performance: Geographical area of Wakefield, West Yorkshire.

II.2.4. Description of the procurement

The works will consist of Carriageway and Footway Surfacing Works together with other associated works and/or Cold Planing, replacement of roadmarkings and road studs on both highway and non-highway sites associated with those works, inclusive of the provision of labour, supervision, materials (including waste), temporary works, plant, traffic management, tipping, landfill tax and other charges, overhead charges and profit as well as the general liabilities, obligations and risks arising out of the conditions of contract.

The locations will be within the administrative areas of City of Wakefield District Council — Lot 5.

The Contractor may price One, or More or All Lots as detailed at Section II, Paragraph II.1.4 of this Notice.

For the purposes of the Framework Agreement, all of the other Local Authorities shall hereafter be defined as the 'Contracting Authorities' for whom Kirklees Council will act as the Contract Administrator in relation to the Framework Agreement.

II.2.5. Award criteria

Criteria below

Price

II.2.6. Estimated value

Value excluding VAT: 3 000 000,00 GBP

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

Duration in months: 48

This contract is subject to renewal: yes

Description of renewals:

May be extended on two separate occasions (1 +1), total of two years until 30.6.2020.

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

II.2. Description

II.2.1. Title

City of York Council — Surfacing and Planing Works West Yorkshire Contract — KMCHS-206
Lot No: 6

II.2.2. Additional CPV code(s)

45233200 Various surface works, 45233100 Construction work for highways, roads, 45233139 Highway maintenance work, 45233141 Road-maintenance works, 45233222 Paving and asphaltting works, 45233223 Carriageway resurfacing works, 45233251 Resurfacing works

II.2.3. Place of performance

NUTS code: UKE Yorkshire and the Humber

Main site or place of performance: Geographical area of York, North Yorkshire.

II.2.4. Description of the procurement

The works will consist of Carriageway and Footway Surfacing Works together with other associated works and/or Cold Planing, replacement of roadmarkings and road studs on both highway and non-highway sites associated with those works, inclusive of the provision of labour, supervision, materials (including waste), temporary works, plant, traffic management, tipping, landfill tax and other charges, overhead charges and profit as well as the general liabilities, obligations and risks arising out of the conditions of contract.

The locations will be within the administrative areas of City of York Council — Lot 6.

The Contractor may price One, or More or All Lots as detailed at Section II, Paragraph II.1.4 of this Notice.

For the purposes of the Framework Agreement, all of the other Local Authorities shall hereafter be defined as the 'Contracting Authorities' for whom Kirklees Council will act as the Contract Administrator in relation to the Framework Agreement.

II.2.5. Award criteria

Criteria below

Price

II.2.6. Estimated value

Value excluding VAT: 4 000 000,00 GBP

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

Duration in months: 48

This contract is subject to renewal: yes

Description of renewals:

May be extended on two separate occasions (1 +1), total of two years until 30.6.2020.

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.1.2. Economic and financial standing

List and brief description of selection criteria:

Tenderers must complete Sections 5 of the Pre-qualification Questionnaire, Responses to this Section 5 shall be primarily for information purposes only. However, all Applicants must supply one set of evidence to demonstrate financial standing as required under this Section 5. Failure to supply any one of either (a) to (d) may result in exclusion. Any answers which leads the Council, acting reasonably, to conclude (considering the risk that the relevant answer suggests about the Applicant's ability to properly perform the Framework Agreement) that it would be inappropriate to select the Applicant on this occasion will result in exclusion.

If you have indicated that your parent or holding company is prepared to guarantee the performance of your Company, the information provided in response to 5.3 will be used in the financial assessment of the Applicant.

In accordance with Article 57 and 59 to 61 of Directive 2014/24/EU and Regulations 57 to 61 of the Public Contract Regulations 2015, and as set out in the Pre-Qualification Questionnaire available from the address as set out in Section (I.1) of this notice, the Contracting Authority reserves the right to refuse any applicant's application and to exclude its tender from the evaluation in any of the circumstances as follows:-

(i) in the event the completed Pre-Qualification Questionnaire, supporting information and/or any other tender submissions are incomplete, inaccurate or misleading or otherwise not submitted in accordance with the requirements set out in the Pre-Qualification Questionnaire or any of the other Tender Documents; and/or; (ii) for any reason specified in Regulation 57 (Exclusion Grounds) of the Public Contracts Regulations 2015, which requires or permits the Council not to select or to treat any Applicant as an ineligible economic operator; and/or (iii) Tenderers scoring Fail in the Pre-Qualifications Questionnaire will not be selected for consideration of their tender submission.

Minimum level(s) of standards possibly required:

B Insurance, B1 -Tenderers must self-certify that they already have, or can commit to obtain, prior to the commencement of the contract, the levels of insurance cover indicated below:
Employer's (Compulsory) Liability Insurance — 10 000 000 GBP, Public Liability Insurance — 10 000 000 GBP

Failure to indicate 'yes' to B1 will result in exclusion.

III.1.3. Technical and professional ability

List and brief description of selection criteria:

6 Technical and professional ability

Please provide details of up to three contracts, in any combination from either the public or private sector, that are relevant to the Authority's requirement. Contracts for supplies or services should have been performed during the past three years. Works contracts may be from the past five years, and VCSEs may include samples of grant funded work. The named customer contact provided should be prepared to provide written evidence to the Authority to confirm the accuracy of the information provided below. Consortia bids should provide relevant examples of where the Consortium has delivered similar requirements; if this is not possible (e.g. the Consortium is newly formed or a Special Purpose Vehicle will be created for this contract) then three separate examples should be provided between the principal member(s) of the proposed Consortium or Special Purpose Vehicle (three examples are not required from each member). Where the Contractor is a Special Purpose Vehicle, or a Managing Agent not intending to be the main provider of the supplies or services, the information requested should be provided in respect of the principal intended provider(s) or sub-contractor(s) who will deliver the supplies and services.

If Contractors cannot provide at least one example for questions 6.1 to 6.4, in no more than 500 words Contractors must provide an explanation for this e.g. is Contractors organisation a new start-up.

A.2 National Highway Sector Schemes

Sector Scheme 16 Laying of Asphalt — Contractors MUST be a member of the relevant scheme

Sector Scheme 7 Roadmarkings and Studs and Sector Scheme 12 ABCD Traffic Management desirable for Contractors/SubContractors to be a member of the relevant scheme or to demonstrate a commitment to working towards the relevant Sector Scheme.

Minimum level(s) of standards possibly required:

6 — Relevant experience and contract examples:

Responses to 6 will be scored as follows:

Pass — The Applicant has provided either:

1. at least one example of a previous contract that meets the minimum requirements set out in Section 6, and demonstrates to the reasonable satisfaction of the Authority that the Applicant possesses the relevant general technical expertise and professional experience to be entrusted with the Authority's contract;

or

2. a satisfactory reason as to why the Applicant is unable to provide any examples of previous contracts that are relevant to the Authority's requirements under this Procurement, and that meets the minimum requirements set out in Question 6.5.

However, Applicants are asked to note that:

(i) If Applicants need to use more than one example to demonstrate that they possess the relevant general technical expertise and professional experience, they may do so up to a maximum of three (3) examples.

(ii) The Authority reserves the right to confirm the accuracy of any information provided in response to Section 6 with any named customer contact(s). Any replies from any named customer contact(s) which lead the Authority, acting reasonably, to doubt any significant representations made in the Applicant's responses to Section 6 may result in exclusion.

Fail — The Applicant:

1. has failed to provide any examples of any previous contracts in response to Section 6; and

has failed to provide a satisfactory reason as to why they were unable to provide any examples;

or

2. the examples given in response to Section 6 do not demonstrate to the reasonable satisfaction of the Authority that the Applicant possesses the relevant general technical expertise and professional experience to be entrusted with the Authority's contract.

7. Additional PQQ Modules

A.2 National Highway Sector Schemes

Sector Scheme 16 Laying of Asphalt Yes = Pass, No = Fail, if answer is No to Sector Scheme 16 this will result in exclusion.

III.2. Conditions related to the contract

III.2.2. Contract performance conditions

The performance of the Task Orders by the Contractor during the Framework Period will be subject to an annual review by the Council and the other Contracting Authorities carried out in accordance with Schedule 1, Clause 4.10 in the tender documents. Progression of the Contractor on to successive years during the Framework Period will only follow a successful outcome of the annual review and satisfactory performance by the Contractor of its obligations under the Framework Agreement and any Task Order(s) called off thereunder during the relevant twelve (12) month period. For the avoidance of any doubt, if the Contractor has not performed any works under any Task Orders for either the Council or any of the other Contracting Authorities during the relevant annual period, then they will automatically proceed on to the next year of the Framework Period.

Section IV: Procedure

IV.1. Description

IV.1.1. Type of procedure

Open procedure

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

The procurement involves the establishment of a framework agreement

Framework agreement with several operators Envisaged maximum number of participants to the framework agreement: 150

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

Date: 09/05/2016 Local time: 13:00

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

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: 6 (from the date stated for receipt of tender)

IV.2.7. Conditions for opening of tenders

Date: 10/05/2016 Local time: 13:00

Place:

The above time and date for opening is estimated, subject to change.

Information about authorised persons and opening procedure: Representatives of Corporate Procurement, Audit and any other authorised officer of the Council.

Section VI: Complementary information

VI.1. Information about recurrence

This is a recurrent procurement: yes

VI.2. Information about electronic workflows

Electronic ordering will be used

Electronic invoicing will be accepted

Electronic payment will be used

VI.3. Additional information

The contracting Authority considers that this contract may be suitable for economic operators that are small or medium enterprises (SMEs). However, any selection of tenderers will be based solely on the criteria set out for the procurement, and the contract will be awarded on the basis of the most economically advantageous tender. The award criteria is set out in the Tender Documents. Estimated total value of purchase for the entire duration of the Framework Agreement Please note the range of values stipulated in Section II.1.5 of this Notice covers the potential spend of all the participating Contracting Authorities, throughout the duration of the Framework Agreement. Notwithstanding the above paragraph, however, for the avoidance of doubt please note that:

- i) The estimates given in Section II.1.5 of this Notice are strictly estimated values only.
- ii) Any information supplied in the Tender Documents as to the likely volumes of Works or the times when they are likely to be required are given purely as indication of past experiences of the Contracting Authorities.
- iii) Furthermore, please note that estimates given in Section II.1.5 of this Notice are based on third party estimates of anticipated future workloads during the Framework Period as at the date of this Notice, and Kirklees Council gives no warranty as to the accuracy to said data.
- iv) The anticipated total value and usage of this Framework Agreement is unknown at present. Tenderers should note that it is not possible to establish an exact future workload and it is therefore not possible to guarantee that all or any of the successful economic operators with whom Kirklees Council enters into the Framework Agreement will in fact be called upon to execute Works on behalf of Kirklees Council or any of the other Contracting Authorities. Unless otherwise specifically stated elsewhere in the Tender Documents, there is no minimum or maximum value/quantity of Works that may be ordered on any one occasion and the rates tendered must therefore reflect the likelihood of varying magnitude of Work and types of Works.
- v) No Contracting Authority is bound to enter into any Task Order or other contract following discussions or other representations and no Contracting Authority shall incur any liability in respect of any failure to enter into any Works Contract or in connection with the total volume, type of Works or value of Works anticipated by any of the Tenderers or which any Tenderer is asked to carry out.

VI.4. Procedures for review

VI.4.1. Review body

Official name: o

Town: o

Country: United Kingdom

VI.4.3. Review procedure

Precise information on deadline(s) for review procedures:

The Contracting Authority will incorporate a minimum 10 calendar day standstill period at the point when information on the award of the contract is communicated to tenderers. If an appeal regarding the award of the contract has not been successfully resolved the Public Contracts Regulation 2015 provided for aggrieved parties who have been harmed or are at risk of harm by a breach of the rules to take action in the High Court (England, Wales and Northern Ireland).

VI.5. Date of dispatch of this notice

30/03/2016