

United Kingdom-Nottingham: Scaffolding

OJ S 68/2014 05/04/2014

Contract notice

Services

Directive 2004/18/EC

Section I: Contracting authority

I.1. Name and addresses

Official name: Efficiency East Midlands Ltd (Company Registration Number 7762614)

Postal address: Pure Offices, Icon Business Centre, Lake View Drive, Sherwood Park

Town: Nottingham

Postal code: NG15 0DT

Country: United Kingdom

For the attention of: Eunice Walker

E-mail: procurement.team@nottinghamcityhomes.org.uk

Telephone: +44 1158762090

Fax: +44 1158762094

Additional information can be obtained from:

the abovementioned address

Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained from:

the abovementioned address

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

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: yes

Official name: Contracting Authority

Postal address: Contracting Authority, VI.3

Town: East Midlands

Country: United Kingdom

Section II: Object of the contract

II.1. Description

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

Supply of Scaffolding including Erection and Dismantling.

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

Services

Service category No 27: Other services

NUTS code UK United Kingdom

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

The procurement involves the establishment of a framework agreement

II.1.4. Information about framework agreement

Framework agreement with several operators

Maximum number Envisaged maximum number of participants to the framework agreement
: 9

Duration of the framework agreement

Duration in years: 4

Estimated total value of purchases for the entire duration of the framework agreement

Estimated value excluding VAT:

Range: between 600 000 and 60 000 000 GBP

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

Scaffolding. Scaffolding work. Scaffolding dismantling work. Scaffolding erection work. EEM has a requirement for the supply of scaffolding including erection and dismantling to be used for planned maintenance and responsive repairs and is looking to appoint up to nine Contractors onto the Framework. We have arranged our members into geographical zones and tenderers are requested to tick the zones for which your company is bidding (multiple zone bids are allowed). It is envisaged that a maximum of 3 Contractors per zone will be appointed.

The main types of properties where scaffolding will be required are domestic; these include 1, 2 and 3-storey properties and may be required for individual properties and rows of up to and more than 4 properties, these are covered within the Pricing Schedule (Part C), there may also be a requirement for scaffolding at low, medium and high rise properties and also commercial properties, in these circumstances it is envisaged that a mini competition exercise will be undertaken.

The Clients may have domestic properties that have External Wall Insulation (EWI) applied which may require alternative ways of securing scaffold to the property, there may also be a requirement for alternative ways of accessing the property other than scaffolding. Tenderers are requested to advise EEM how they intend to provide scaffold to a 2 and 3-storey property that has EWI applied and must not drill / form any holes in the EWI without agreement with the Client as to the method of securing the scaffold to the property prior to erection. Nottingham City Homes is one of the Clients that do have properties with EWI applied and these are predominately 2 and 3-storey properties, however there may also be high rise properties that have EWI applied. The location of the current properties and the EWI description is listed within Part A4 of this document; however this is not an exhaustive list and more properties will be having EWI applied. Any damage to EWI caused by the erection or removal of scaffold will be repaired to the specification determined by Nottingham City Homes, the Successful Contractor will arrange for any repairs to be undertaken by a licensed Contractor who will certificate the work on completion. All certificates must be then passed to Nottingham City Homes. Alternatively Nottingham City Homes may arrange for the rectification works to be completed by its own specialist Contractor or in house operative and recover costs from the scaffold Contractor.

There may be a requirement for Successful Contractors to provide a survey to erect and dismantle scaffold prior to being given the work, where scaffold is not required after a survey has been carried out, Contractors can invoice the clients. Where scaffold is required after a survey has been carried out the cost of the survey shall be included within the cost of the works. The cost of the survey is to be included within the Pricing Schedule (Part C).

On occasions the erection of scaffolding may interfere with the reception of Satellite TV dishes, where this happens temporary re-siting (attached to the scaffold is acceptable) should

be arranged, it is acceptable for dishes to be attached to the scaffold. Re-siting to the original position when the scaffold is dismantled should also be arranged.

It will be the responsibility of the Successful Contractors to provide a pavement licence where necessary. Where pavement licences are required applications should be made within 3 days of receipt of an order by the Contractor from Nottingham City Homes.

The Successful Contractors may be put forward as nominated Contractors for the erection and dismantling of scaffolding within other larger projects being completed by members and as such the rates quoted within this tender may be used by those Contractors.

II.1.6. CPV code(s)

44212310 Scaffolding, 45262100 Scaffolding work, 45262110 Scaffolding dismantling work, 45262120 Scaffolding erection 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

Efficiency East Midlands Limited ("EEM") is a consortia of affordable housing landlords operating predominantly in the East Midlands area. Details of its current members are set out at section VI.3i of this Contract Notice. The current members of EEM are responsible for the upkeep of approximately 152,851 properties [and other stock for specialist housing groups (e.g. care homes, student housing, supported housing, hostels) and other stock (e.g. offices, leisure facilities, day centres, and other public non-housing buildings owned, managed or maintained by the authorised user). The total quantity or scope of the value of services to be purchased through the Framework Agreement to be awarded at conclusion of the procurement exercise begun by publication of this Contract Notice is in the range of GBP 600,000 to GBP 60,000,000.

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

Duration in months: 48 (from the award of the contract)

Section III: Legal, economic, financial and technical information

III.1. Conditions related to the contract

III.1.1. Deposits and guarantees required

Details of any deposits, guarantees or bonds required by the Contracting Authority will be set out in the Contract Documents.

III.1.2.

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

Details of any financial conditions and payment arrangements will be set out in the contract documents.

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

Consortium bids must state in their documents that the bidding members are a consortium. Efficiency East Midlands reserves the right to require a lead consultant to undertake primary contracting liability or to require that one or more parties are jointly and severally liable.

III.1.4. Contract performance conditions

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

Description of particular conditions: Applicants who satisfy any of the criteria for rejection as set out in Regulation 23(1), Public Contracts regulations 2006 shall be treated as ineligible. Applicants may be requested to provide such evidence as is reasonably necessary to allow Efficiency East Midlands members to establish that the afore mentioned criteria do not apply to them. Contract performance conditions may relate in particular to secondary considerations in accordance with Regulation 39 of the Public Contracts Regulations 2006.

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: The Authority will apply all the offences listed in Article 45(1) of Directive 2004/18/EC (implemented as Regulation 23(1) of the Public Contract Regulations (PCR) 2006 in the UK) and all of the professional misconducts listed at Article 45 (2) of Directive 2004/18/EC (see also Regulation 23(2) in the PCR 2006) to the decision of whether a Candidate is eligible to be invited to tender.

A full list of the Regulation 23(1) and 23(2) criteria are at <http://www.delta-esourcing.com/delta/project/reasonsForExclusion.html#pcr>

Candidates will be required to answer these questions as part of the qualification process. For candidates who are registered overseas, you will need to declare if you have any offences /misconduct under your own countries laws, where these laws are equivalent to the Regulation 23 lists.

Candidates who have been convicted of any of the offences under Article 45(1) are ineligible and will not be selected to bid, unless there are overriding requirements in the general interest for doing so.

Candidates who are guilty of any of the offences, circumstances or misconduct under Article 45 (2) may be excluded from being selected to bid at the discretion of the Authority.

Applicants will be required to complete the tender documentation consistent with Directive 2004/18/EC. A short list will be drawn from the suitable applicants from which the successful Contractor or Contractors will be selected. Any potential service provider should note that no cost reimbursement will be considered for work carried out prior to appointment. The tender documents are available at I.1 and must be uploaded to the portal stipulated in the tender documents.

III.2.2. Economic and financial ability

List and brief description of conditions: Applicants will be required to complete the tender documentation consistent with Directive 2004/18/EC. A short list will be drawn from the suitable applicants from which the successful Contractor or Contractors will be selected. Any potential service provider should note that no cost reimbursement will be considered for work

carried out prior to appointment. The tender documents are available at I.1 and must be uploaded to the portal stipulated in the tender documents.

Minimum level(s) of standards possibly required: Applicants will be required to complete the tender documentation consistent with Directive 2004/18/EC. A short list will be drawn from the suitable applications from which the successful Contractor or Contractors will be selected. Any potential Contractor should note that no cost reimbursement will be considered for work carried out prior to appointment. The tender documents are available at I.1 and must be uploaded to the portal stipulated in the tender documents. Minimum level(s) of standards possibly required where Contractors will be expected to meet Efficiency East Midlands criteria for existing turnover in relation to their major customer and legal compliance with the supply of scaffolding.

III.2.3. Technical and professional ability

List and brief description of conditions:

Applicants will be required to complete tender documents consistent with Directive 2004/18/EC. A short list will be drawn from the suitable applications and asked to provide a price based tender from which the successful Contractor or Contractors will be selected. Any potential Contractor or Contractors should note that no cost reimbursement will be considered for work carried out prior to appointment. The documents are available at I.1 and must be returned as stipulated in the tender documents.

Minimum level(s) of standards possibly required:

Contractors will be expected to have sufficient staffing levels to provide the service and satisfy the performance targets specified by Efficiency East Midlands and detailed within the tender documentation. Contractors will also be required to comply with any statutory registration and reporting requirements.

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

Open

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

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 Criteria below

1. Price. Weighting 60
2. Quality Assessment. Weighting 30
3. Health and Safety. Weighting 10

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

EEM0051

IV.3.2. Previous publication concerning this procedure

no

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

Time limit for receipt of requests for documents or for accessing documents: 9.5.2014 - 13:00

Payable documents: no

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

12.5.2014 - 13:00

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

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

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

IV.3.8. Conditions for opening of tenders

Date: 12.5.2014 - 13:30

Place:

Icon Business Centre, Lake View Drive, Sherwood Park, Nottingham, NG15 0DT.

Persons authorised to be present at the opening of tenders: yes

Information about authorised persons and opening procedure: Authorised Personnel.

Section VI: Complementary information

VI.1. Information about recurrence

This is a recurrent procurement: no

VI.2. Information about European Union funds

The procurement is related to a project and/or programme financed by European Union funds:

no

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 Framework is being procured by EEM, on behalf of its members and the other organisations described below as Authorised Users. EEM is incorporated as a company Ltd by guarantee. The Framework Agreement being procured by this procurement process will be entered by EEM as the Contracting Authority which will have undertaken and completed the procurement exercise begun by publication of this Contract Notice.

Any reference to Contracting Authority is deemed to be and include a reference to EEM and its current members. The twenty one current members of EEM are Nottingham City Homes Ltd, A1 Housing Bassetlaw Ltd, Bolsover District Council, Derby Homes Ltd, Newark and Sherwood Homes Ltd, Ashfield Homes Ltd, Charnwood Borough Council, Tuntum Housing Association Ltd, Nottingham Community Housing Association Ltd, Mansfield District Council, Gedling Homes, Rykneld Homes Ltd, Chesterfield Borough Council, South Derbyshire District Council, Derwent Living Housing Association Ltd, Hinckley & Bosworth Borough Council, Acis Group Ltd comprising of: Acis Properties Ltd, Acis Development Services Ltd, Acis Management Ltd, Arsa Housing Group, Lincoln City Council, Leicester City Council and Rockingham Forest Housing Association.

All of the current members are, therefore, to be regarded as Contracting Authorities under the Public Contracts Regulations 2006 for the purpose of this procurement exercise and entitled as Authorised Users to access and use the Framework Agreement to be awarded at conclusion of the procurement exercise begun by publication of this Contract Notice.

The Authorised Users of the Framework Agreement being advertised by this Contract Notice (in addition to EEM) and entitled to access and use the Framework Agreement to be awarded at conclusion of the procurement exercise begun by publication of this Contract Notice are:

1. any current EEM Member – an organisation which is a member of EEM at the date of this Contract Notice and being one of the organisations listed above in this section VI.3.
2. any future EEM member – a Local Authority i.e. a County Metropolitan (City) District and Borough Council or a Unitary Wales, ALMO or Registered Provider housing landlord organisation entitled to join and which has applied to and has joined EEM as a member in accordance with the constitutional documents of EEM. Future EEM Members may include consortia made up of organisations which would themselves individually be a Future EEM Member and may include any special purpose vehicle (of whatever nature) owned and controlled by the consortia members and would include in those circumstances the individual consortia members of the special purpose vehicle that owns and controls it.
3. an EEM Participant - an organisation which is neither a Current EEM Member (as defined at 1 above) nor a Future Member of EEM (as defined at 2 above) will be entitled to use the Framework Agreement advertised by this Contract Notice if it is based within the East Midlands, owns and/or maintains/manages housing stock or other property of the type described in the third paragraph of this section VI.3 in one or more geographical area in which it operates and is a Local Authority i.e. a County, and Borough Council or a Unitary Authority in England or Wales or is an Arms Length Management Organisation (or any statutory replacement or successor organisation) managed by such local authority under a management agreement under section 27 of the Housing Act 1985 (or subsequent legislation) or is a Registered Provider under the Housing and Regeneration Act 2008 (or subsequent legislation) and is itself a Contracting Authority for the purpose of the Public Contract Regulations 2006 and in respect of which organisation notice has been given by EEM to the economic operators that are a party to the Framework Agreement being advertised by this Contract Notice that such organisation is an Authorised User of this Framework Agreement. EEM Participants may include consortia made up of organisations which would themselves individually be an EEM Participant and may include any special purpose vehicle (of whatever nature) owned and controlled by the consortia members and would include in those circumstances members of the special purpose vehicle that own and control it. The members of EEM (and the current authorised users) website address www.efficacy-em.co.uk

For the purpose of this Notice, the geographical area local authorities are identifiable by reference to the Direct Gov website www.direct.gov.uk/en/DI1/Directories/Localcouncils/index.htm and a full list of all current Registered Providers can be www.tenantservicesauthority.org/server/show/nav.490

Reference to legislation in this Contract Notice includes successor and/or replacement legislation. EEM reserves the right agreement at the end of the procurement exercise begun by publication of this Contract Notice or to award any part or parts.

For more information about this opportunity, please visit the Delta eSourcing portal at:

<https://www.delta-esourcing.com/tenders/UK-UK-Nottingham:-Scaffolding./P733Q88X52>

To respond to this opportunity, please click here:

<https://www.delta-esourcing.com/respond/P733Q88X52>

GO Reference: GO-201442-PRO-5574475

VI.4. Procedures for review

VI.4.1. Review body

Official name: Royal Courts of Justice

Postal address: The Strand

Town: London

Postal code: WC2A 2LL

Country: United Kingdom

Telephone: +44 2079476000

Body responsible for mediation procedures

Official name: Royal Courts of Justice

Postal address: The Strand

Town: London

Postal code: WC2A 2LL

Country: United Kingdom

Telephone: +44 2079476000

VI.4.2. Review procedure

Precise information on deadline(s) for review procedures: EEM will incorporate a minimum 10 calendar day standstill period at the point information communicated to tenderers. The Public Contracts Regulations 2006 (SI2006 No 5) (as amended) provide for aggrieved parties risk of harm by a breach of the rules to take action in the High Court (England, Wales and Northern Ireland). Generally, any within 30 days from the date the aggrieved party knew or ought to have known about the alleged breach. Where the framework Court may order the setting aside of the award decision or order EEM to amend any document and may award damages. If into the Court may only award damages or where the contract award procedures have not been followed correctly framework award to be "ineffective".

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

Official name: The Cabinet Office

Postal address: Correspondance Team, 70 Whitehall

Town: London

Postal code: SW1A 2AS

Country: United Kingdom

Telephone: +44 2072760514

VI.5. Date of dispatch of this notice

2.4.2014