

United Kingdom-Brentwood: Real estate services
OJ S 60/2018 27/03/2018
Contract notice
Services

Legal Basis:

Directive 2014/24/EU

Section I: Contracting authority

I.1. Name and addresses

Official name: Brentwood Borough Council

Postal address: Town Hall, Ingrave Road

Town: Brentwood

NUTS code: UKH3 Essex

Postal code: CM15 8AY

Country: United Kingdom

Contact person: Jane Mitchell

E-mail: jane.mitchell@brentwood.gov.uk

Telephone: +44 1277312583

Internet address(es):

Main address: www.brentwood.gov.uk

Address of the buyer profile: <https://www.delta-esourcing.com>

I.3. Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at: <http://www.delta-esourcing.com/tenders/UK-UK-Brentwood:-Real-estate-services./HVWQ2B86M3>

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted electronically via: www.delta-esourcing.com

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

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

Procurement of a partner(s) for the Brentwood Asset Development Programme and related framework agreement.

II.1.2. Main CPV code

70000000 Real estate services

II.1.3.

Type of contract

Services

II.1.4. Short description

Brentwood Borough Council is seeking to procure a partner(s) for its asset development programme. The council has a substantial portfolio of surplus land and property that can either be disposed of or developed. The council wishes to take an active role in development through the partnership, to improve the financial returns to the council and increase the pace of delivery. The council therefore seeks a partner(s) with development and funding expertise to work with it to identify opportunities from its land holdings, and bring forward development and funding of sites. The partner(s) will carry out demolition, preparation, design, build, finance, operation, management and maintenance of mixed-use development and regeneration schemes, including (but not limited to) housing, retail, commercial units, public spaces, and leisure facilities. The council reserves the right to independently pursue investment opportunities and land acquisitions during the lifetime of the partnership.

II.1.5. Estimated total value

Value excluding VAT: 1 000 000 000,00 GBP

II.1.6. Information about lots

This contract is divided into lots: no

II.2. Description

II.2.2. Additional CPV code(s)

71000000 Architectural, construction, engineering and inspection services, 45210000 Building construction work, 45211360 Urban development construction work, 45211300 Houses construction work, 45211340 Multi-dwelling buildings construction work, 45211341 Flats construction work, 45211350 Multi-functional buildings construction work, 45214000 Construction work for buildings relating to education and research, 45214200 Construction work for school buildings, 45214210 Primary school construction work, 45214300 Construction work for college buildings, 45233260 Pedestrian ways construction work, 45453100 Refurbishment work, 45112700 Landscaping work, 45111000 Demolition, site preparation and clearance work, 71220000 Architectural design services, 71240000 Architectural, engineering and planning services, 71247000 Supervision of building work, 71251000 Architectural and building-surveying services, 71400000 Urban planning and landscape architectural services, 71540000 Construction management services, 71530000 Construction consultancy services, 71315200 Building consultancy services, 70000000 Real estate services, 70110000 Development services of real estate, 70123100 Sale of residential real estate, 70331000 Residential property services, 70332200 Commercial property management services, 45262700 Building alteration work, 50700000 Repair and maintenance services of building installations, 50710000 Repair and maintenance services of electrical and mechanical building installations, 45259300 Heating-plant repair and maintenance work, 45330000 Plumbing and sanitary works, 90920000 Facility related sanitation services, 77314000 Grounds maintenance services, 79993000 Building and facilities management services, 79211000 Accounting services, 79211100 Bookkeeping services, 71311000 Civil engineering consultancy services, 71312000 Structural engineering consultancy services, 55250000 Letting services of short-stay furnished accommodation, 70120000 Buying and selling of real estate, 70300000 Real estate agency services on a fee or contract basis, 71541000 Construction project management services, 70111000 Development of residential real estate, 70112000 Development of non-residential real estate, 70210000 Residential property renting or leasing services, 70220000 Non-residential property renting or leasing services, 70123200 Sale of

non-residential estate, 45111291 Site-development work, 70332100 Land management services, 70330000 Property management services of real estate on a fee or contract basis

II.2.3. Place of performance

NUTS code: UKH3 Essex

Main site or place of performance: Essex.

II.2.4. Description of the procurement

JV Partner.

The primary purpose of this procurement is to procure a strategic partner(s) for Brentwood Borough Council (the Council) for a contract term of 30 years.

The council is proposing a particular structure for the partnership, however, it is open to the market to design a solution that meets its objectives and therefore this structure is not mandatory. The Council is pursuing a partnership approach with a view to securing the optimum solution with a partnership structure which best suits that solution.

The council intends to enter into a partnership agreement (“Partnership Agreement”) under which a partner(s) will be appointed to carry out demolition, preparation, design, build, finance, operation and maintenance of mixed-use development and regeneration schemes, including (but not limited to) housing, retail, new residential units, commercial units, public spaces, and leisure facilities. There may be a requirement for the partner(s) to undertake other specialist areas such as highway works, grounds maintenance, facilities management, and repairs and maintenance works under the arrangement. The type of legal entity who will appoint the contractor(s) could vary depending on tenderers’ proposals.

The council will invest its land in the partnership but all other funding approaches are to be developed as part of the funding solution developed through the competitive dialogue procedure. The Council recognises the opportunity for it to act as a senior lender and is willing to consider any structural mechanisms /alternative joint venture structures that may deliver commercial benefit to both parties. The securing of capital, funding and /or investment will form part of the partnership solution, as will the marketing and positioning of the real estate developed.

The partner(s) will provide its development expertise, equity investment and access to private funding. The partnership will fund and deliver a programme of sites (including residential, commercial, community and other schemes) which are identified and declared as surplus by the council. The council and its partner(s) will share in any financial returns from the sale or rental of the development sites in a manner that is commensurate with the risks taken.

Framework agreement.

In addition to the partnership agreement, the council is acting as a central purchasing body through which the contracting authorities listed in Section VI.3 (the “Participating Bodies”) may wish to procure a substantially similar partnership to that under the partnership agreement under a separate framework agreement. There is no obligation on the participating bodies to participate and the council gives no guarantee or warranty as to the nature or volume of the partnership services /works, if any, to be called off.

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: 1 000 000 000,00 GBP

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

Start: 01/04/2019 End: 31/03/2049

This contract is subject to renewal: no

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

Envisaged minimum number: 5 Maximum number: 6 Objective criteria for choosing the limited number of candidates:

As set out in the selection questionnaire.

II.2.10. Information about variants

Variants will be accepted: no

II.2.11. Information about options

Options: yes

Description of options:

Additional works, services or supplies may be purchased as a result of the award of this procurement.

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:

Information and formalities necessary for evaluating if requirements are met in accordance with Article 58 of the Directive 2014/24/EU of the European Parliament and of the council and Regulation 58 of the public contracts Regulations 2015 are set out in the selection questionnaire which is available from the address in Part I.1.

III.1.2. Economic and financial standing

Selection criteria as stated in the procurement documents

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

As set out in the 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

The procurement involves the establishment of a framework agreement

Framework agreement with a single operator

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

Date: 04/05/2018 Local time: 12:00

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

Date: 08/06/2018

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

JV PartnerThe minimum requirements of the partner(s) include:

- To optimise opportunities from a portfolio of property assets that will generate new long term financial returns(both capital and revenue);-The use of the partnership vehicle must deliver a greater total financial return to the Council than the returnwhich could be achieved through its current approach;
- To drive the pace of development;
- To develop a quality brand for the developments, aimed at safeguarding the long term financial prosperity of thepartnership; and
- To build a long term relationship with a partner(s) with aligned objectives/visions and to utilise their expertise.

Framework Agreement

The Participating Bodies are:

Basildon CouncilBraintree

District CouncilCastle

Point Borough Council

Chelmsford City Council

Colchester Borough Council

Epping Forest District Council

Harlow Council

Maldon District Council

Rochford District Council

Southend on Sea Borough Council

Tendring District Council
Thurrock Council
Uttlesford District Council
Essex County Council
Essex Fire & Rescue Service
Essex Police
Kent Police
Greenfields Community Housing Ltd
Estuary Housing Association Ltd
The Havebury Housing Partnership
Chelmer Housing Partnership

Accordingly, it is the intention that the Participating Bodies should be able to rely on this procurement to access such partnering services/works without the need for any procurement process in accordance with Regulation 33 of the Public Contracts Regulations 2015.

The Council envisages awarding any Framework Agreement at the same time as the Partnership Agreement and any such Framework Agreement is anticipated to commence in or approximately 18 months after the Partnership Agreement with the Council has commenced, though the Council reserves the right to commence the Framework Agreement earlier. The duration of any call-off contract under the Framework Agreement will not necessarily be limited to the 4 year term but the term will be governed by the subject matter of the call off contract. The form of the call-off contract shall be substantially the same as the Partnership Agreement subject to the right to make specific amendments in respect of an individual call-off. The Council reserves the right to award only the Partnership Agreement and not to award the Framework Agreement or alternatively for the Partnership Agreement and the Framework Agreement to commence on the same date or different dates.

1— The council is keen to ensure that the procurement is open to a wide market and that there is genuine competition. The resources and range of services needed for the partnership are such that the council understands that it may receive applications from:

- a single organisation delivering the entire solution,
- organisations that may wish to collaborate to form a consortium, (either by forming a separate legal entity or in unincorporated grouping) to contract with the contracting authority with or without a variety of Subcontractor(s), or
- a consortium which consists of a prime contractor with a variety of subcontractor(s).

2— In addition to the partnering agreement, the council is procuring a framework agreement. The estimated value of the framework agreement (excluding VAT) is anticipated to be within the range of 10 000 000 GBP to 500 000 000 GBP.

3— All Applicants are solely responsible for their costs and expenses incurred in connection with the preparation and submission of the SQ and all future stages of the selection and award process. Under no circumstances will the council or any of its advisers be liable for any costs or expenses borne by the applicant or its associated relevant organisations or any of its advisers in this process whether the applicant is successful or otherwise.

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

<https://www.delta-esourcing.com/tenders/UK-UK-Brentwood:-Real-estate-services./HVWQ2B86M3>

To respond to this opportunity, please click here:

<https://www.delta-esourcing.com/respond/HVWQ2B86M3>

GO Reference: GO-2018323-PRO-12116063.

VI.4. Procedures for review

VI.4.1. Review body

Official name: Royal Courts of Justice
Town: London
Postal code: WC2A 2LL
Country: United Kingdom

VI.4.3. Review procedure

Precise information on deadline(s) for review procedures:

Precise information on deadline(s) for review procedures:

The council will incorporate a minimum 10 calendar days standstill period at the point information on the award of the contract is communicated to tenderers. This period allows unsuccessful tenderers to seek further debriefing from the council before the contract is entered into. If an appeal regarding the award of the contract has not been successfully resolved, the public contracts Regulations 2015 provide for aggrieved parties who have been harmed or who are at risk of harm by a breach of the rules to take action in the High Court (England, Wales and Northern Ireland).

VI.4.4. Service from which information about the review procedure may be obtained

Official name: High Court
Postal address: Royal Courts of Justice, Strand
Town: London
Postal code: WC2A 2LL
Country: United Kingdom
Telephone: +44 20794760000

VI.5. Date of dispatch of this notice

23/03/2018