

United Kingdom-Birmingham: Architectural, construction, engineering and inspection services

OJ S 88/2014 07/05/2014

Contract notice

Services

Directive 2004/18/EC**Section I: Contracting authority**

I.1. Name and addresses

Official name: Highways Agency

Postal address: The Cube, 199 Wharfside Street

Town: Birmingham

Postal code: B1 1RN

Country: United Kingdom

For the attention of: Laura Mobley

E-mail: laura.mobley2@highways.gsi.gov.uk

Telephone: +44 1216874107

Internet address(es):General address of the contracting authority: www.highways.gov.uk**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**

National or federal agency/office

I.3. Main activity

General public services

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**

Traffic-speed Structural Surveys (TRASS3)

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

Services

Service category No 12: Architectural services; engineering services and integrated engineering services; urban planning and landscape engineering services; related scientific and technical consulting services; technical testing and analysis services

Main site or place of performance: English Strategic Highway Network.

NUTS code

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)

Deliver routine network level structural condition surveys of the English Strategic Highway Network using the Highways Agency's Traffic Speed Deflectometer (TSD).

The TSD is an articulated large goods vehicle (LGV N3) containing lasers and ground penetrating radar (GPR) measuring equipment. This measures flexible pavement stiffness using laser Doppler shift and pavement thickness using GPR.

The contractor will take possession of the Agency's TSD, pass the accreditation requirements, operate it on the network at traffic speed, safeguard/ garage and maintain it.

It is estimated that the contractor will plan, gather, process and upload around 14,000 to 20,000 km of survey data per year into the Highways Agency's pavement management system (HAPMS) identified in a number of task orders issued over a 36 month contact.

II.1.6. CPV code(s)

71000000 Architectural, construction, engineering and inspection services, 71355000 Surveying services

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

Estimated value excluding VAT: 1 150 000 GBP

II.2.2. Information about options

Options: yes

Description of options: Option to extend for 2 further 12 month periods.

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: 36 (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

Those invited to tender will be advised in the tender documents.

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

III.1.3.

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

In the case of an Unincorporated Joint Venture (Joint and Several Liability) the contractor must also confirm the names of all the contracting entities with the Employer should they be selected to tender.

III.1.4. Contract performance conditions

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

Description of particular conditions: As listed in the Instructions for Tenderers.

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: Suppliers Instructions How to Express Interest in this Tender~: 1. Register your company on the eSourcing portal (this is only required once) - Browse to the eSourcing Portal: <https://highways.bravosolution.co.uk> and click the link to register - Accept the terms and conditions and click 'continue' - Enter your correct business and user details - Note the username you chose and click 'Save' when complete - You will shortly receive an email with your unique password (please keep this secure) 2. Express an Interest in the tender - Login to the portal with the username/password - Click the 'PQQs / ITTs Open To All Suppliers' link. (These are Pre-Qualification Questionnaires or Invitations to Tender open to any registered supplier) - Click on the relevant PQQ/ ITT to access the content. - Click the 'Express Interest' button at the top of the page. - This will move the PQQ /ITT into your 'My PQQs/ My ITTs' page. (This is a secure area reserved for your projects only) -You can now access any attachments by clicking 'Buyer Attachments' in the 'PQQ/ ITT Details' box 3. Responding to the tender - Click 'My Response' under 'PQQ/ ITT Details', you can choose to 'Create Response' or to 'Decline to Respond' (please give a reason if declining) - You can now use the 'Messages' function to communicate with the buyer and seek any clarification - Note the deadline for completion, then follow the onscreen instructions to complete the PQQ/ ITT - There may be a mixture of online & offline actions for you to perform (there is detailed online help available) You must then submit your reply using the 'Submit Response' button at the top of the page. If you require any further assistance please consult the online help, or contact the eTendering help desk.

1. The supplier must declare if it or any of its directors any other person who has powers of representation, decision or control of the supplier has been convicted of any of the following offences—

(a) conspiracy within the meaning of section 1 or 1A of the Criminal Law Act 1977 or article 9 or 9A of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983 where that conspiracy relates to participation in a criminal organisation as defined in Article 2 of Council Framework Decision 2008/841/JHA

((b) corruption within the meaning of section 1(2) of the Public Bodies Corrupt Practices Act 1889(20) or section 1 of the Prevention of Corruption Act 1906(21), where the offence relates to active corruption;

(c) the offence of bribery, where the offence relates to active corruption;

(ca)bribery within the meaning of section 1 or 6 of the Bribery Act 2010(22);

(d) fraud, where the offence relates to fraud affecting the European Communities' financial interests as defined by Article 1 of the Convention on the protection of the financial interests of the European Communities(23), within the meaning of —

(i) the offence of cheating the Revenue;

(ii) the offence of conspiracy to defraud;

- (iii) fraud or theft within the meaning of the Theft Act 1968, the Theft Act (Northern Ireland) 1969, the Theft Act 1978 or the Theft (Northern Ireland) Order 1978;
- (iv) fraudulent trading within the meaning of section 458 of the Companies Act 1985, article 451 of the Companies (Northern Ireland) Order 1986 or section 993 of the Companies Act 2006;
- (v) fraudulent evasion within the meaning of section 170 of the Customs and Excise Management Act 1979(31) or section 72 of the Value Added Tax Act 1994;
- (vi) an offence in connection with taxation in the European Union within the meaning of section 71 of the Criminal Justice Act 1993;
- (vii) destroying, defacing or concealing of documents or procuring the execution of a valuable security within the meaning of section 20 of the Theft Act 1968(34) or section 19 of the Theft Act (Northern Ireland) 1969;
- (viii) fraud within the meaning of section 2, 3 or 4 of the Fraud Act 2006; or
- (ix) making, adapting, supplying or offering to supply articles for use in frauds within the meaning of section 7 of the Fraud Act 2006;
- (e) money laundering within the meaning of section 340(11) of the Proceeds of Crime Act 2002;
- (ea) an offence in connection with the proceeds of criminal conduct within the meaning of section 93A, 93B or 93C of the Criminal Justice Act 1988 or article 45, 46 or 47 of the Proceeds of Crime (Northern Ireland) Order 1996;
- (eb) an offence in connection with the proceeds of drug trafficking within the meaning of section 49, 50 or 51 of the Drug Trafficking Act 1994; or
- (f) any other offence within the meaning of Article 45(1) of the Public Sector Directive as defined by the national law of any relevant State

The Highways Agency shall treat as ineligible and shall not select a supplier has been convicted of any of the above offences

The Highways Agency may apply to the relevant competent authority to obtain further information regarding the supplier and in particular details of convictions of the offences listed above if it considers it needs such information to decide on any exclusion referred to above. In any case where supplier or its directors or any other person who has powers of representation, decision or control has been convicted of an offence described in paragraph (1), the Highways Agency may disregard the prohibition described there if it is satisfied that there are overriding requirements in the general interest which justify doing so in relation to that economic operator in order to maintain or enable sufficient competition.

2. The Supplier must declare if any of the following (a) to (j) it or any of its directors any other person who has powers of representation, decision or control of the supplier is applicable. The Highways Agency shall consider a supplier as ineligible or decide not to select supplier in accordance with the Procurement Regulations on one or more of the following grounds , namely that the economic operator or any of its directors any other person who has powers of representation, decision or control of the economic operator (supplier) —

- (a) being an individual is a person in respect of whom a debt relief order has been made or is bankrupt or has had a receiving order or administration order or bankruptcy restrictions order or a debt relief restrictions order made against him or has made any composition or arrangement with or for the benefit of his creditors or has made any conveyance or assignment for the benefit of his creditors or appears unable to pay, or to have no reasonable prospect of being able to pay, a debt within the meaning of section 268 of the Insolvency Act 1986, or article 242 of the Insolvency (Northern Ireland) Order 1989, or in Scotland has granted a trust deed for creditors or become otherwise apparently insolvent, or is the subject of a petition presented for sequestration of his estate, or is the subject of any similar procedure under the law of any other state;

- (b) being a partnership constituted under Scots law has granted a trust deed or become otherwise apparently insolvent, or is the subject of a petition presented for sequestration of its estate;
- (c) being a company or any other entity within the meaning of section 255 of the Enterprise Act 2002 has passed a resolution or is the subject of an order by the court for the company's winding up otherwise than for the purpose of bona fide reconstruction or amalgamation, or has had a receiver, manager or administrator on behalf of a creditor appointed in respect of the company's business or any part thereof or is the subject of the above procedures or is the subject of similar procedures under the law of any other state;
- (d) has been convicted of a criminal offence relating to the conduct of his business or profession;
- (e) has committed an act of grave misconduct in the course of his business or profession;
- (f) has not 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 economic operator is established;
- (g) has not 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 supplier is established;
- (h) is guilty of serious misrepresentation in providing any information referred to within regulation or regulation 24, 25, 26 or 27 (of the Public Contracts Regulations 2006 as amended), or has not provided such information in response to a request by the contracting authority
- (i) in relation to procedures for the award of a public services contract, is not licensed in the relevant State in which he is established or is not a member of an organisation in that relevant State when the law of that relevant State prohibits the provision of the services to be provided under the contract by a person who is not so licensed or who is not such a member; or [(j)subject to Regulation 23 paragraphs (7), (8) and (9) of the Public Contracts Regulations 2006, as amended , is not registered on the professional or trade register of the relevant State specified in Schedule 6 in which he is established under conditions laid down by that State]

III.2.2. Economic and financial ability

List and brief description of conditions: As requested in Annex D of the Information for Tenderers

III.2.3. Technical and professional ability

List and brief description of conditions:
As requested in the Information for Tenderers

III.2.4. Information about reserved contracts

III.3. Conditions specific to services contracts

III.3.1. Information about a particular profession

Execution of the service is reserved to a particular profession: no

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 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

IV.3.2. Previous publication concerning this procedure

Prior information notice

Notice number in the OJ S: [2014/S 73-125976](#) of 12.4.2014

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: 23.5.2014 - 12:00

Payable documents: no

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

11.6.2014 - 12:00

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 days: 120 (from the date stated for receipt of tender)

IV.3.8. Conditions for opening of tenders

Date: 11.6.2014

Place:

as in I.1

Section VI: Complementary information

VI.1. Information about recurrence

This is a recurrent procurement: no

VI.2. Information about European Union funds

VI.3. Additional information

The Contracting Authority intends to use an eTendering system in this procurement exercise and reserves the right to use a reverse auction.

VI.4. Procedures for review

VI.4.1. Review body

VI.4.2. Review procedure

Precise information on deadline(s) for review procedures: The Highways Agency will incorporate a minimum 10 calendar day standstill period at the point information on award of the contract is communicated to the tenderers.

Appeals must be lodged in accordance with the Public Contracts Regulations 2006 (IS206 no5) as amended

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

VI.5. Date of dispatch of this notice

2.5.2014