

UK-Nottingham: Construction work

OJ S 94/2013 16/05/2013

Contract notice

Works

Directive 2004/18/EC

Section I: Contracting authority

I.1. Name and addresses

Official name: Scape System Build Limited

Postal address: 4th Floor, Pearl House, 5 Friar Lane

Town: Nottingham

Postal code: NG1 6BT

Country: United Kingdom

Contact person: Through www.delta-esourcing.com

For the attention of: Paul Bottrill

Telephone: +44 1159583200

Fax: +44 1159583232

Internet address(es):

General address of the contracting authority: www.scapebuild.co.uk

Address of the buyer profile: www.scapebuild.co.uk

Electronic access to information: www.delta-esourcing.com

Electronic submission of tenders and requests to participate: www.delta-esourcing.com

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

Other: Company entirely owned and controlled by 6 English local authorities; main activities are procurement, design, construction & property management

I.3. Main activity

Other: Procurement, design, construction and property management related work

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

The contracting authority is purchasing on behalf of other contracting authorities: yes

Official name: Scape System Build Limited

Postal address: 4th Floor, Pearl House, 5 Friar Lane

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Section II: Object of the contract

II.1. Description

II.1.1.

Title attributed to the contract by the contracting authority

Scape/empa Provincial Construction Framework.

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

Works

Realisation, by whatever means of work, corresponding to the requirements specified by the contracting authorities

Main site or place of performance: Within the East Midlands (UKF), North and North East Lincolnshire (UKE13), Warwickshire (UKG13), Staffordshire (UKG24), Solihull (UKG32), Coventry (UKG33) and Peterborough (UKH11)

NUTS code UKF East Midlands (England), UKE13 North and North East Lincolnshire, UKG24 Staffordshire CC, UKG13 Warwickshire, UKG32 Solihull, UKG33 Coventry, UKH11 Peterborough

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 a single operator

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 100 000 000 and 133 000 000 GBP

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

Scape wishes to establish a framework agreement for use by or on behalf of public sector bodies (and their respective statutory successors and organisations created as a result of re-organisations or organisational changes).

Applications are invited from experienced providers of construction works and ancillary services who can provide high quality construction work using a customer focused approach particularly in the public sector. The construction services may include design and other services as required for develop and construct works, design and build works, regeneration works or construction works including deferred payment or options to pay for the works by asset transfer.

The provider will be expected to work closely, and co-operate with local government and other contracting authorities, in-house and external design consultants, contractors and other partner providers. All contract performance will be monitored using a set of comprehensive performance indicators.

The public sector bodies to whom the use of this framework agreement will be open, include without limitation, the following contracting authorities commissioning construction works and ancillary services in the geographical areas stated in II.1.2 (and any future successors to these organisations):

- Central Government Departments, Public Financial and Non-Financial Corporations – Public Sector Classification Guide, February 2013 <http://www.ons.gov.uk/ons/publications/re-reference-tables.html?edition=tcn%3A77-294365>
- Government Departments, agencies and public bodies <https://www.gov.uk/government/organisations>
- BNFL plc,
- Royal Mail Group plc,
- Urenco,
- Partnerships UK,

- Royal Mint,
 - ABRO,
 - Defence Aviation Repair Agency (DARA),
 - Met Office,
 - Forensic Science Service,
 - NATS,
 - Actis Capital LLP,
 - CDC Group plc,
 - Working Links Limited,
 - British Waterways Authority,
 - The Tote,
 - Local Authorities. <http://openlylocal.com/councils/all>
 - NDPBs. <http://www.civilservice.gov.uk/about/resources/ndpb>
 - National Parks Authorities <http://www.nationalparks.gov.uk/>,
 - Educational Establishments across England and Wales maintained by the Department for Education including Academies, Colleges, Free Schools, LA Maintained Schools, Other types, Special Schools, Universities, Welsh Schools. <http://www.education.gov.uk/edubase/public/quickSearchResult.xhtml?myListCount=0>
 - Social Enterprises within Culture and Leisure. <http://www.sporta.org/member-directory>
 - Police Forces in the United Kingdom. http://www.police.uk/?view=force_sites#force_sites
 - Fire and Rescue Services (including Scotland, Wales and Northern Ireland) <http://www.fireservice.co.uk/information/ukfrs>
 - NHS Bodies including Acute Trusts, Clinical Commissioning Groups, Mental Health Trusts, Health & Care Trusts, Ambulance Trusts, Area Teams, Special Health Authorities, Others and Property Services,
<http://www.nhs.uk/ServiceDirectories/Pages/AcuteTrustListing.aspx>
<http://www.nhs.uk/ServiceDirectories/Pages/CCGListing.aspx> (including the drill down to GP's)
<http://www.nhs.uk/ServiceDirectories/Pages/MentalHealthTrustListing.aspx>
<http://www.nhs.uk/ServiceDirectories/Pages/CareTrustListing.aspx>
<http://www.nhs.uk/ServiceDirectories/Pages/AmbulanceTrustListing.aspx>
<http://www.nhs.uk/ServiceDirectories/Pages/AreaTeamListing.aspx>
<http://www.nhs.uk/ServiceDirectories/Pages/SpecialHealthAuthorityListing.aspx>
<http://www.nhs.uk/ServiceDirectories/Pages/OtherListing.aspx>
<http://www.property.nhs.uk/>
 - Department of Health Advisory Bodies and Committees <http://www.dh.gov.uk/health/about-us/public-bodies-2/advisory-bodies/>
 - Hospices in UK including Scotland, Wales and Northern Ireland. http://www.hauraki.co.uk/hospice_uk/
 - Registered Providers of Social Housing <http://www.homesandcommunities.co.uk/ourwork/registered-provider-information>
 - Third Sector and Charities. <http://www.charitycommission.gov.uk/showcharity/registerofcharities/registerhomepage.aspx?&=&>
 - Citizens Advice. http://www.citizensadvice.org.uk/index/aboutus/citizens_advice_offices.htm
 - All other contracting authorities cited by name in Regulation 3 of and/or Schedule 1 to the Public Contracts Regulations 2006 (as amended),
 - All other contracting authorities cited by class in Regulation 3 of and/or Schedule 1 to the Public Contracts Regulations 2006 (as amended).
- There will be no obligation on either Scape System Build Limited or any other contracting

authority to enter into call off contracts with the provider appointed nor will any guarantee be given as to the quantity, value or regularity of call off contracts to be made.

II.1.6. CPV code(s)

45000000 Construction work, 45100000 Site preparation work, 45110000 Building demolition and wrecking work and earthmoving work, 45120000 Test drilling and boring work, 45200000 Works for complete or part construction and civil engineering work, 45210000 Building construction work, 45220000 Engineering works and construction works, 45230000 Construction work for pipelines, communication and power lines, for highways, roads, airfields and railways; flatwork, 45240000 Construction work for water projects, 45250000 Construction works for plants, mining and manufacturing and for buildings relating to the oil and gas industry, 45260000 Roof works and other special trade construction works, 45300000 Building installation work, 45310000 Electrical installation work, 45320000 Insulation work, 45330000 Plumbing and sanitary works, 45340000 Fencing, railing and safety equipment installation work, 45350000 Mechanical installations, 45400000 Building completion work, 45410000 Plastering work, 45420000 Joinery and carpentry installation work, 45430000 Floor and wall covering work, 45440000 Painting and glazing work, 45450000 Other building completion work, 71000000 Architectural, construction, engineering and inspection services, 71200000 Architectural and related services, 71300000 Engineering services, 71400000 Urban planning and landscape architectural services, 71500000 Construction-related services, 71600000 Technical testing, analysis and consultancy services, 71700000 Monitoring and control services, 71800000 Consulting services for water-supply and waste consultancy, 71900000 Laboratory services, 31121000 Generating sets, 09330000 Solar energy, 70110000 Development services of real estate, 70111000 Development of residential real estate, 70112000 Development of non-residential real estate

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

The estimated total spend, although not guaranteed, will be approximately 100 000 000 GBP – 133 000 000 GBP and will principally include construction works for new build, refurbishment and maintenance of the following assets in the following sectors: housing, education, universities and colleges of further education and training establishments, leisure recreation and culture, health, prisons, library, fire, ambulance & police, day-care, nursery care, social care, care homes, specialist facilities, transport, farms, recycling facilities, offices & other contracting authority operational, residential, industrial & commercial assets and any other property and related assets owned, rented, leased or developed by any of the Contracting Authorities who may use this framework, or on property and related assets in which any of the Contracting Authorities may have an interest at the time or prospectively. Individual call off contracts will be between GBP 500 000 and GBP 7 500 000.

Estimated value excluding VAT:

Range: between 100 000 000 and 133 000 000 GBP

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

The 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

Tender pricing must be in pounds sterling (GBP). Payments made under the framework agreement awarded will be in pounds sterling (GBP). A management charge in the form of a percentage of the value of each call off contract awarded under the framework agreement will be levied by the contracting authority on the successful provider in order to cover the costs of establishing and managing the framework agreement. Further information will be made available in the invitation to tender documentation and the framework agreement itself. See contract documents for further details.

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

No special legal form is required, but if a contract is awarded to a consortium which is not a legal entity, the framework agreement will require a lead provider to be named which shall accept responsibility for all the obligations of the members and the framework agreement will impose joint and several liability on the consortium members.

III.1.4. Contract performance conditions

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

Description of particular conditions: Other particular conditions will be set out in the contract documents contained in the invitation to tender.

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: Participants will be required to complete a pre-qualification questionnaire (PQQ) available on request from the contact in section I. See also Regulation 23 of the Public Contracts Regulations 2006 (as amended).

III.2.2. Economic and financial ability

List and brief description of conditions: Participants will be required to complete the PQQ including the financial and economic standing requirements as set out in the PQQ. See also Regulation 24 of the Public Contracts Regulations 2006 (as amended).

Minimum level(s) of standards possibly required: Participants will need a minimum annual turnover of GBP 75 000 000.

Participants will be required to have the following stated minimum levels of insurance cover, each on an "each and every claim basis":

- Employers liability insurance (min 10 000 000 GBP),
- Public liability insurance (min 10 000 000 GBP),
- Professional indemnity insurance (min 5 000 000 GBP).

Where a participant does not have the required insurance in place then they may still apply providing that they would be willing to take out the appropriate levels of insurance if successful, (further details are contained in the PQQ).

III.2.3. Technical and professional ability

List and brief description of conditions:

Technical requirements are set out in the PQQ. See also Regulation 25 of the Public Contracts Regulations 2006 (as amended).

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

Objective criteria for choosing the limited number of candidates: The contracting authority intend to invite 6 candidates to submit tenders on the basis of the order of ranking of candidates which have passed all the pass/fail elements at the PQQ stage at which the criteria referred to in Part 4 of the Public Contracts Regulations (implementing Articles 45-52 inclusive of Directive 2004/18/EC) will be assessed and marked.

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 50
2. Quality. Weighting 50

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

H2703P

IV.3.2. Previous publication concerning this procedure

Prior information notice

Notice number in the OJ S: [2013/S 54-088366](#) of 16.3.2013

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: 21.6.2013 - 13:00

Payable documents: no

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

21.6.2013 - 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

IV.3.8. Conditions for opening of tenders

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 and other public bodies interested in utilising the framework arrangements contemplated by this procurement are transforming the manner in which construction projects are procured and managed. The construction services may include design and other services as required for develop and construct works, design and build works, regeneration works or construction works including deferred payment or options to pay for the works by asset transfer. They will adopt the principles of partnering through the development of longer term relationships through the supply chain, integrated design and construction teams, shared risk/rewards and performance management. The partnering ethos will involve partners selected for their capability and commitment to these principles. It will include target cost setting, open book accounting, shared problem solving, and a strong commitment to all aspects of continuous improvement. A key feature of this approach will be to develop a spirit of mutual trust and teamwork throughout the supply chain.

The framework arrangements may be used by public bodies as set out in paragraph II.1.5 above. To achieve continuity in the availability of a framework arrangement, Scape will review future service requirements and capacity from year 2 to determine when to carry out its next parallel tender exercise in the range stipulated.

Note that the PQQ contains important background information and contextual information, together with exclusion clauses relating to the fact that the contracting authority may terminate or suspend this procurement at any time, without cost or liability to the contracting authority.

The contract conditions will be set out in the invitation to tender documents. Interested companies will be required to complete a pre-qualification questionnaire (PQQ) and companies must demonstrate commitment to partnering including working with clients and

their partners, shared, problem solving and continuous improvement. Any queries relating to the technical aspect of the works should be made to the contact in I.1 through Delta. A breakdown of the evaluation criteria will be detailed in the tender documents. An indicative procurement timetable is included in the PQQ.

The Common Procurement Vocabulary stated in II.1.6 are deemed to include, for the avoidance of doubt, the Category and Sub-category codes below the CPV codes stated, i.e. 45310000 is deemed to include 45313000.

DELTA E-SOURCING.

1. Scape is using the Delta eSourcing web-based service to manage this procurement.
2. Suppliers must read through these instructions and follow the process to respond to this opportunity.
3. The information and/or documents for this opportunity are available on <http://delta-esourcing.com/delta>. You must register on this site to respond for this procurement, if you are already registered you will not need to register again, simply use your existing username and password. Please note there is a password reminder link on the homepage.
4. Suppliers must log in, go to Response Manager and add the following Access Code: TQ68489PYB. Please ensure you follow any instruction provided to you there.
5. The deadline for submitting your response is stated within the Delta eSourcing suite, this Contract Notice and the PQQ document. Please ensure that you allow yourself plenty of time when responding to this invitation prior to the closing date and time, especially when uploading documents. Scape will not be held accountable for any errors made by Suppliers in submitting their completed PQQ.
6. If you experience any technical difficulties with the Delta eSourcing suite please contact the Delta eSourcing Helpdesk on +44 8452707050 or email helpdesk@delta-esourcing.com

VI.4. Procedures for review

VI.4.1. Review body

VI.4.2. Review procedure

Precise information on deadline(s) for review procedures: The Contracting Authority will incorporate a minimum 10 calendar day standstill period (or 15 days where non-electronic or fax methods are used) at the point that an award decision notice is communicated to tenderers. The award decision notice will specify the criteria for the award of the framework agreement, the reasons for the decision, including the characteristics and relative advantages, the name and score of the successful tender; and will specify when the standstill period is expected to end or the date before which the Contracting Authority will not conclude the framework agreement. If an appeal regarding the award of a contract has not been successfully resolved, the Public Contracts Regulations 2006, as amended by the Public Contracts (Amendment) Regulations 2009 and the Public Procurement (Miscellaneous Amendments) Regulations 2011, set out the time frame within which aggrieved parties who have been harmed or are at risk of a breach of the rules may take action in the High Court (England, Wales and Northern Ireland). Any such action must be brought within 30 days from the date when the economic operator in question first knew or ought to have known that grounds for the bringing of proceedings had arisen. The Court may extend the 30 day period in a particular case if it considers that there is good reason for so doing, up to a period of 3 months from the actual or deemed date of knowledge of the economic operator. The Court may order the setting aside of the award decision or may order the Contracting Authority to amend any document and may award damages. If the framework agreement has been entered into the Court may make a declaration of ineffectiveness or may order that the

duration of any relevant specific contract be shortened and additionally may award damages. The time limit for seeking such a declaration is generally 30 days from notification of the award (either by award decision notification or contract award notice depending on the circumstances) or otherwise 6 months.

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

VI.5. Date of dispatch of this notice

14.5.2013