

**UK-Aylesbury: repair and maintenance services of building installations**

OJ S 165/2012 29/08/2012

Contract notice

Services

Directive 2004/18/EC

**Section I: Contracting authority**

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**I.1. Name and addresses**

Official name: Aylesbury Vale District Council

Postal address: The Gateway, Gatehouse Road, Bucks

Town: Aylesbury

Postal code: HP19 8FF

Country: United Kingdom

Contact person: Sarah Deyes, Strategic Procurement Officer

For the attention of: Sarah Deyes, Strategic Procurement Officer

E-mail: [sdeyes@aylesburyvaledc.gov.uk](mailto:sdeyes@aylesburyvaledc.gov.uk)

Telephone: +44 1296585871

**Internet address(es):**General address of the contracting authority: <http://www.aylesburyvaledc.gov.uk>Electronic access to information: <http://www.businessportal.southeastiep.gov.uk>Electronic submission of tenders and requests to participate: <http://www.businessportal.southeastiep.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**

Regional or local authority

**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**

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**II.1. Description****II.1.1. Title attributed to the contract by the contracting authority**

Supply and management of building and facilities maintenance services to Aylesbury Vale District Council.

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

Services

Service category No 1: Maintenance and repair services

Main site or place of performance: Aylesbury, Buckinghamshire, United Kingdom.  
NUTS code UKJ13 Buckinghamshire CC

**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)**

The contract is to supply and manage building and facilities maintenance services in relation to Aylesbury Vale District Council's operational buildings and facilities. The services required include (inter alia):

- (i) the provision and management of suitably qualified and trained maintenance operators in the Aylesbury Vale District Council area;
- (ii) undertaking planned and reactive maintenance and repairs to the Council's operational buildings and facilities (including lifts, fire alarms and monitoring, Intruder alarms, access control door systems, sprinklers, automatic doors and roller shutters), in accordance with the Council's requirements;
- (iii) undertaking planned and reactive maintenance and repairs to the public water feature situated in Kingsbury Square, Aylesbury, in accordance with the Council's requirements;
- (iv) the provision of all requisite and appropriate materials for use in maintaining the Council's buildings and facilities;
- (v) the self-monitoring of the contractor's performance of the contractual requirements and regular reporting back to the Council of performance (minimum monthly frequency);
- (vi) providing continuous improvement of the service delivered.

The contractor will be permitted to sub-contract some of the more specialist activities to appropriately qualified and experienced sub-contractors, but the contractor will be expected to provide the majority of the services himself.

**II.1.6. CPV code(s)**

50700000 Repair and maintenance services of building installations

**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:

Range: between 3 000 000,00 and 3 200 000,00 GBP

**II.2.2. Information about options**

Options: yes

Description of options: The Council intends to award a contract for a period of 3 years, with an option to extend this for either 1 or 2 periods of 12 months each, or one period of 24 months.

**II.2.3. Information about renewals**

This contract is subject to renewal: no

## **II.3. Duration of the contract or time limit for completion**

### **Section III: Legal, economic, financial and technical information**

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#### **III.1. Conditions related to the contract**

##### **III.1.1. Deposits and guarantees required**

The successful contractor may be required as a condition of the contract to provide a guarantee bond and/or other form(s) of guarantee or security satisfactory to the Council in order to guarantee his satisfactory performance of the contract. Any bond or guarantee shall be capable of being enforced by the Council at any time during the period of the Contract, and for a period of 3 months thereafter. The successful contractor may also be required to provide a parent company guarantee in order to guarantee his satisfactory performance of the contract, either as an alternative to a guarantee bond or in addition thereto. The parent companies of any special purpose vehicle set up for the purpose of enabling a consortium bid may be required to provide parent company guarantees to guarantee the satisfactory performance of the contract by the bidding entity. Full details of these and any other requirements to provide deposits, guarantees, bonds, insurance, warranties or other forms of securities will be set out in the tender documents.

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

Any payments due to the contractor shall be made in accordance with the payment provisions set out in the tender documentation.

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

Each individual, company or other organisation which is a party to any joint offer may as a consequence be required to accept joint and several liability for the performance of some or all of the elements of the contract. Full details will be set out in the tender documentation.

##### **III.1.4. Contract performance conditions**

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

Description of particular conditions: The conditions of contract and any other terms and conditions with which the successful contractor will be required to comply will be set out in the tender documentation.

#### **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: As set out in Articles 45 –50 of Directive 2004/18/EC, and Regulation 23 - 25 of the Public Contracts Regulations 2006 (SI 2006/5), as amended by the Public Contracts (Amendment) Regulations 2009 (SI 2009/2992), and as set out in the pre-qualification questionnaire (see below).

Economic operators wishing to express interest in being included on the list of those to be invited to submit bids are required to respond in writing by completing a pre-qualification questionnaire and providing other information with regard to their personal situation, economic and financial capacity, and technical capacity. Economic operators can formally express an interest and lodge a request to be selected by completing and returning a pre-qualification questionnaire ('PQQ') within the timescales set out in IV.3.3. The PQQ is available for download free of charge from the contact point given in I.1.

### **III.2.2. Economic and financial ability**

List and brief description of conditions: This may include any of the matters in accordance with Article 47 of Directive 2004/18/EC, and Regulation 24 of the Public Contracts Regulations 2006 (SI 2006/5), as amended by the Public Contracts (Amendment) Regulations 2009 (SI2009/2992).

Minimum level(s) of standards possibly required: Economic operators may be required to obtain a minimum threshold score against each of the principal Evaluation Criteria (and any Evaluation Sub-Criteria) specified in relation to the assessment of their economic and financial capacity by reference to the information provided in response to the PQQ referred to above (and any other information provided by way of clarification upon request by the Council). Full details of the method of assessment will be set out in the PQQ.

### **III.2.3. Technical and professional ability**

List and brief description of conditions:

This may include any of the matters in accordance with Articles 48 - 50 of Directive 2004/18 /EC, and Regulation 25 of the Public Contracts Regulations 2006 (SI 2006/5), as amended by the Public Contracts (Amendment) Regulations 2009 (SI 2009/2992).

Minimum level(s) of standards possibly required:

Economic operators may be required to obtain a minimum threshold score against each of the principal Evaluation Criteria (and any Evaluation Sub-Criteria) specified in relation to the assessment of their technical capacity/professional ability by reference to the information provided in response to the PQQ referred to above (and any other information provided by way of clarification upon request by the Council). Full details of the method of assessment will be set out in the PQQ.

### **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**

Obligation to indicate the names and professional qualifications of the staff assigned to performing the contract: yes

## **Section IV: Procedure**

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### **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**

Envisaged number of candidates: 6

Objective criteria for choosing the limited number of candidates: The criteria and method of selection will be set out in the PQQ referred to in III.2.1 above, but are anticipated to include financial status and stability, technical capacity, quality management, equalities, health & safety, environment & sustainability.

#### **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**

AED/SD/Proc 46/1

### **IV.3.2. Previous publication concerning this procedure**

no

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

Payable documents: no

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

1.10.2012 - 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**

### **IV.3.8. Conditions for opening of tenders**

## **Section VI: Complementary information**

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### **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**

- 1) Economic operators wishing to submit a request to participate in this tender process should in the first instance contact the person identified in I.1. above (either by post or by e-mail) in order to register their interest. They should ensure that they obtain a confirmation of receipt of their expression of interest. They will then be advised how to access the pre-qualification questionnaire via the business portal;
- 2) It is the Council's intention to score all pre-qualification questionnaires returned in the specified manner and by the specified date and time, and to invite those persons/organisations who submit the highest scoring submissions based on the methodology set out in the pre-qualification questionnaire to tender, subject to there being sufficient numbers of persons /organisations who meet the Council's minimum standards of economic and financial standing and technical and professional ability and are not rejected on any of the grounds stipulated in

the pre-qualification questionnaire.

3) It is the contracting authority's view that the provisions of the Acquired Rights Directive (77/187/EEC, as amended by Directive 98/50/EC and consolidated in 2001/23/EC) and associated UK legislation (in particular the Transfer of Undertakings (Protection of Employment) Regulations 2006 (SI 2006/246)) may apply to any service provision change or transfer of the undertaking involved in providing these services immediately prior to the date of commencement of the contract referred to in this notice. Economic operators will be expected to seek their own independent legal advice on this issue.

4) The contracting authority reserves the right, subject to the appropriate procurement regulations, to change without notice the basis of, or the procedures for, this competitive tendering process or to terminate the process at any time. All economic operators who have a registered interest in tendering/have been selected to submit a tender (dependent upon the progress of the procurement) will be notified in writing in such an event. Under no circumstances shall the contracting authority incur any liability in respect of any costs, losses or expenses which may have been incurred by economic operators prior to any such decision, or which may be incurred as a consequence of the decision.

5) The contracting authority is a "Public Authority" as defined by the Freedom of Information Act 2000 and/or the Environmental Information Regulations 2004 and all documentation and correspondence received from any economic operator in connection with a request to participate in this procurement, or in response to any invitation to tender which may be issued by the contracting authority in relation to this procurement will be treated in accordance with the said Act and/or Regulations, and may be subject to disclosure.

6) The Council intends to award a contract for a period of 3 years, with an option to extend this for either one or two periods of 12 months each, or one period of 24 months. The estimated value of the contract given in this Notice (range 3.0m GBP to 3.2m GBP) is for the total possible contract period of 5 years.

#### **VI.4. Procedures for review**

##### **VI.4.1. Review body**

##### **VI.4.2. Review procedure**

Precise information on deadline(s) for review procedures: As set out in the Public Contracts Regulations 2006, as amended by the Public Contracts (Amendment) Regulations 2009. These provisions may be briefly summarised as follows: The contracting authority will incorporate a minimum 10 calendar day standstill period prior to awarding the contract, commencing at the point at which reasons for the award of the contract are communicated to economic operators electronically (or 15 calendar days if communicated by other means). This period allows economic operators to request further debriefing from the contracting authority. Economic operators have 2 working days from notification of the award decision within which to request such a debriefing, by contacting the contact point specified in Section I.1 above. The relevant information must be communicated a minimum of 3 working days prior to the expiry of the standstill period. The Regulations provide that a breach of the duty owed by the contracting authority in accordance with Regulations 47A or 47B of the Public Contracts Regulations 2006 (as amended) is actionable by any economic operator which in consequence suffers or risks suffering loss or damage. Proceedings for that purpose must be started in the High Court (England, Wales and Northern Ireland). Any such action must be brought within the relevant time periods specified in the Regulations. When proceedings have been started in respect of the contracting authority's decision to award the contract and the contract has not been entered into the contracting authority is required to refrain from entering into the contract until such time as that suspension is brought to an end by any of the means

specified in the Regulations. The Court has power to set aside an award decision, order the contracting authority to amend any document or award damages (in a case where a contract has not been entered into), or to make a declaration of ineffectiveness, impose penalties or award damages (in a case where a contract has been entered into).

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

**VI.5. Date of dispatch of this notice**

24.8.2012