

**United Kingdom-Billingham: River regulation and flood control works**  
**OJ S 209/2015 28/10/2015**  
**Contract notice – utilities**  
**Works**

**Directive 2004/17/EC**

**Section I: Contracting entity**

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**I.1. Name and addresses**

Official name: Able Humber Ports Ltd  
Postal address: Able House, Billingham Reach Industrial Estate  
Town: Billingham  
Postal code: TS23 1PX  
Country: United Kingdom  
For the attention of: Neil Jarvis  
E-mail: [njarvis@ableuk.com](mailto:njarvis@ableuk.com)  
Telephone: +44 1642806080  
Fax: +44 1642655655

**Additional information can be obtained from:**

Official name: Driver Project Services  
Postal address: 15 Evolution, Wynyard  
Town: Wynyard Park  
Postal code: TS22 5TB  
Country: United Kingdom  
For the attention of: Nigel Fletcher  
E-mail: [nigel.fletcher@driver-group.com](mailto:nigel.fletcher@driver-group.com)  
Telephone: +44 1740665466  
Fax: +44 1740644860  
Internet address: <http://www.driver-group.com>

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

Official name: Driver Project Services  
Postal address: 15 Evolution, Wynyard  
Town: Wynyard Park  
Postal code: TS22 5TB  
Country: United Kingdom  
For the attention of: Nigel Fletcher  
E-mail: [nigel.fletcher@driver-group.com](mailto:nigel.fletcher@driver-group.com)  
Telephone: +44 1740665466  
Fax: +44 1740644860  
Internet address: <http://www.driver-group.com>

**Tenders or requests to participate must be submitted:**

Official name: Driver Project Services  
Postal address: 15 Evolution, Wynyard  
Town: Wynyard Park  
Postal code: TS22 5TB  
Country: United Kingdom  
For the attention of: Nigel Fletcher  
E-mail: [nigel.fletcher@driver-group.com](mailto:nigel.fletcher@driver-group.com)  
Telephone: +44 1740665466

Fax: +44 1740644860

Internet address: <http://www.driver-group.com>

## **I.2. Main activity**

Port-related activities

## **I.3. Contract award on behalf of other contracting entities**

The contracting entity is purchasing on behalf of other contracting entities: 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 entity**

Construction of the Cherry Cobb Sands Compensation Site (CCSCS).

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

Works

Main site or place of performance: Paull, HU12 9JX, East Riding of Yorkshire.

NUTS code UKE12 East Riding of Yorkshire

#### **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 project consists of the following primary elements:

1. A Regulated Tidal Exchange to create a sustainable intertidal mudflat;
2. A Managed Realignment creating other estuarine habitats and connecting the Regulated Tidal Exchange to the Humber Estuary; and
3. A Wet Grassland ('CCSWG') providing a new roosting area adjacent to the new intertidal mudflats.

At Paull, HU12 9JX, East Riding of Yorkshire.

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

45246000 River regulation and flood control works, 45243510 Embankment works

#### **II.1.7. Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: no

#### **II.1.8. Information about 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 project consists of the following primary elements:

1. A Regulated Tidal Exchange to create a sustainable intertidal mudflat;
2. A Managed Realignment creating other estuarine habitats and connecting the Regulated Tidal Exchange to the Humber Estuary; and
3. A Wet Grassland ('CCSWG') providing a new roosting area adjacent to the new intertidal

mudflats.

At Paull, HU12 9JX, East Riding of Yorkshire.

Estimated value excluding VAT: 12 000 000 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: 18 (from the award of the contract)

### **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 Contracting Authority reserves the right to require warranties and guarantees and/or other forms of security cover it deems necessary.

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

The conditions of contract will be available to economic operators in the Invitation to Tender.

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

The Authority reserves the right to require groupings to take a particular legal form.

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

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

Description of particular conditions: Details to be set out 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: As set out in the pre-qualification questionnaire available from the address in Annex A and as detailed in Article 54 of Directive 2004/17/EC and Regulations 23 to 29A of the Utilities Contract Regulations 2006.

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

List and brief description of conditions: As set out in the pre-qualification questionnaire available from the address in Annex A and as detailed in Article 54 of Directive 2004/17/EC and Regulations 23 to 29A of the Utilities Contract Regulations 2006.

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

List and brief description of conditions: As set out in the pre-qualification questionnaire available from the address in Annex A and as detailed in Article 54 of Directive 2004/17/EC and Regulations 23 to 29A of the Utilities Contract Regulations 2006.

##### **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**

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### **IV.1. Type of procedure**

#### **IV.1.1. Type of procedure**

Restricted

### **IV.2. Award criteria**

#### **IV.2.1. Award criteria**

The most economically advantageous tender in terms of the criteria stated in the specifications or in the invitation to tender or to negotiate

#### **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 entity**

Not Applicable

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

no

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

(except for a DPS)

Payable documents: no

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

25.11.2015 - 13:00

#### **IV.3.5. Languages in which tenders or requests to participate may be submitted**

English.

#### **IV.3.6. Minimum time frame during which the tenderer must maintain the tender**

#### **IV.3.7. 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:  
yes

Identification of the project: The Cherry Cobb Sands Compensation Site (CCSCS) is required as a result of constructing the Main Quay at the Able Marine Energy Park which may be in receipt of EU Funds relating to sustainable renewable energy.

### **VI.3.**

## **Additional information**

All expressions of interest must be received by 13:00 on 23.11.2015 and all interested parties will be required to obtain, complete and return the PQQ by 13:00 on 25.11.2015. The PQQ will be available on request from the email address at Annex A from the day after the Contract Notice is published until 13:00 on 23.11.2015. Emails should be marked 'Confidential — Request for PQQ'. The email should identify the company name and indicate the name (s) and contact details (postal address, telephone number and email address) of the individual (s) who require access to the PQQ. Failure to express interest by 13:00 on 23 November and/or failure to return the PQQ by 13:00 on 25.11.2015 will result in an economic operator being removed from the procurement process.

The Contracting Authority reserves the right to require warranties and guarantees and/or other forms of security cover it deems necessary.

Each member of a grouping of contractors to sign an undertaking to be jointly and severally liable for the due performance of any resultant contract. The conditions of contract will be available to economic operators in the Invitation to Tender.

Tenders and all supporting documents must be priced in Pounds Sterling.

The Contracting Authority intends to enter into a contract with the main contractor for its entire requirements. The Contracting Authority reserves the right to enter into more than 1 contract to meet its need.

The Contracting Authority reserves the right to approve any and all sub-contractor appointments which tenderers intend to make.

Any resulting contract will be considered as a contract made in England according to English Law and will be subject to the exclusive jurisdiction of the English Courts. The Contracting Authority is not liable for any costs incurred by those expressing an interest in or tendering for this contract including but not limited to where the contract award procedure is cancelled or adjusted for any reason. No reimbursement of costs shall be available. It is currently anticipated that the contact delivery period will be March 2016-September 2017. Updates will be provided to all those invited to tender.

Please note that all dates and figures provided in this notice are approximate.

All contact must be made to the person specified in Annex A not to the contact specified in Section 1.1)

## **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 following electronic notification to unsuccessful applicants of the award decision.

An economic operator that suffers, or risks suffering, loss or damage attributable to a breach of duty under the Utilities Contract Regulations 2006 (as Amended) may bring proceedings in the High Court.

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

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

23.10.2015